PRICE, 10 *annas*]

FIFTH SCHEDULE TO THE GOVERNMENT OF INDIA ACT, 1935.

COMPOSITION OF PROVINCIAL LEGISLATURES.

General qualification for Membership.

1. A person shall not be qualified to be chosen to fill a seat in a Provincial Legislature unless he—

(a) is a British subject or the Ruler or a subject of an Indian State which has acceded to the Federation or, if it is so prescribed with respect to any Province, the Ruler or a subject of any prescribed Indian State; and

(b) is, in the case of a seat in a Legislative Assembly, not less than twenty-five years of age, and in the case of a seat in a Legislative Council, not less than thirty years of age; and

(c) possesses such, if any, of the other qualifications specified in, or prescribed under, this Schedule as may be appropriate in his case.

2. Upon the expiration of the term for which he is chosen to serve as a member of a Provincial Legislature, a person, if otherwise duly qualified, shall be eligible to be chosen to serve for a further term.

Legislative Assemblies.

3. The allocation of seats in Provincial Legislative Assemblies shall be as shown in the relevant Table of Seats appended to this Schedule.

4. In the Legislative Assembly of each Province specified in the first column of the Table of Seats there shall be the number of seats specified in the second column opposite to that Province, and of those seats—

(i) the number specified in the third column shall be general seats, of which the number specified in the fourth column shall be reserved for members of the scheduled castes and, in the case of Bombay, seven shall be reserved for Marathas;

(ii) the numbers specified in the next ten columns shall be the numbers of seats to be filled by persons chosen to represent respectively—(a) backward areas and backward tribes; (b) the Sikh community; (c) the Muhammadan community; (d) the Anglo-Indian community; (e) the

European community; (*f*) the Indian Christian community; (*g*) the interests of commerce, industry, mining and planting; (*h*) landholders; (*i*) universities; and (*j*) the interests of labour; and

(iii) the numbers specified in the last five columns shall be the numbers of seats (being either general seats, Sikh seats, Muhammadan seats, Anglo-Indian seats or Indian Christian seats) reserved for women.

In the Punjab one of the landholders' seats shall be a seat to be filled by a Tumandar.

5. A Province, exclusive of any portion thereof which His Majesty in Council may deem unsuitable for inclusion in any constituency or in any constituency of any particular class, shall be divided into territorial constituencies—

(i) for the election of persons to fill the general seats;

(ii) for the election of persons to fill the Sikh seats, if any;

(iii) for the election of persons to fill the Muhammadan seats;

(iv) for the election of persons to fill the Anglo-Indian seats, if any;

(v) for the election of persons to fill the European seats, if any; and

(vi) except in the case of Bihar, for the election of persons to fill the Indian Christian seats, if any,

or, if as respects any class of constituency it is so prescribed, may form one territorial constituency.

In the case of each such class of constituency as aforesaid the total number of seats available shall be distributed between the constituencies by the assignment of one or more of those seats to each constituency.

6. The required number of general seats to be reserved for members of the scheduled castes, and in the Province of Bombay for Marathas, shall be reserved by reserving for members of those castes, or as the case may be, for Marathas one or more seats in each of so many of the general territorial constituencies as may be necessary, so, however, that in each such constituency there shall be at least one unreserved seat.

7. In a province in which any general seats are reserved for members of the scheduled castes, all members of those castes who are entitled to vote in a constituency in which any seat is so reserved shall be entitled to take part in a primary election held for the purpose of electing four candidates for each seat so reserved and no member of those castes not elected as a candidate at such an election shall be qualified to hold—

(*a*) a seat so reserved in that constituency;

(*b*) if it is so prescribed as respects that Province, any seat in that constituency.

In relation to bye-elections this paragraph shall have effect with such adaptations and modifications as may be prescribed.

8. The persons to fill the seats specified in columns fifteen to nineteen of the Table of Seats as seats to be filled by women shall be chosen in territorial constituencies, which shall be either—

(a) constituencies formed under paragraph five of this Schedule; or

(b) constituencies specially formed for the purpose of electing women members.

9. The provisions of the Sixth Schedule to this Act shall have effect with respect to the persons who are entitled to vote at elections in the territorial constituencies mentioned in paragraphs five and eight of this Schedule.

10. In a Province in which any seats are to be filled by representatives of backward areas or backward tribes, representatives of commerce, industry, mining and planting, representatives of landholders, representatives of universities or representatives of labour, persons to fill those seats, and in Bihar the person to fill the Indian Christian seat, shall be chosen in such manner as may be prescribed:

Provided that in a Province in which any seats are to be filled by representatives of backward areas or backward tribes some or all of those seats may, if it is so prescribed, be treated in the prescribed manner as additional general seats to be reserved for representatives of such areas or tribes.

11. In the Punjab the landholder's seat to be filled by a Tumandar shall be assigned to such constituency as may be prescribed.

12. A person shall not be qualified to hold a seat in the Legislative Assembly of a Province unless—

(a) in the case of a seat to be filled by a woman, by a European, by an Indian Christian, by a representative of backward areas or backward tribes, by a representative of commerce, industry, mining and planting, by a representative of universities or by a representative of labour, he possesses such qualifications as may be prescribed; and

(b) in the case of any other seat, he is entitled to vote in the choice of a member to fill that seat or any other seat of a similar class in that Province.

Legislative Councils.

13. The allocation of seats in the Legislative Councils of Provinces having such Councils shall be as shown in the relevant Table of Seats appended to this Schedule.

14. In the Legislative Council of each Province specified in the first column of the Table of Seats there shall be the number of seats specified in the second column opposite to that Province, and of those seats—

(*a*) the number specified in the third column shall be general seats;

(*b*) the numbers specified in the fourth, fifth and sixth columns shall be seats to be filled by persons chosen to represent respectively the Muhammadan community, the European community and the Indian Christian community;

(*c*) the number specified in the seventh column shall be seats to be filled by persons elected by the members of the Legislative Assembly of the Province in accordance with the system of proportional representation by means of the single transferable vote; and

(*d*) the number specified in the eighth column shall be seats to be filled by persons chosen by the Governor in his discretion.

15. A Province, exclusive of any portion thereof which His Majesty in Council may deem unsuitable for inclusion in any constituency or in any constituency of any particular class, shall be divided into territorial constituencies—

(i) for the purpose of electing persons to fill the general seats;

(ii) for the purpose of electing persons to fill the Muhammadan seats;

(iii) for the purpose of electing persons to fill the European seats;

(iv) for the purpose of electing persons to fill the Indian Christian seats, if any,

or, if as respects any class of constituency it is so prescribed, may form one territorial constituency.

In the case of each such class of constituency as aforesaid the total number of seats available shall be distributed between the constituencies by the assignment of one or more of those seats to each constituency.

16. At an election in a constituency to fill a general seat, persons entitled to vote in a Muhammadan constituency, a European constituency, or an Indian Christian constituency shall not be entitled to vote.

In the case of a Muhammadan constituency, a European constituency, or an Indian Christian constituency no person shall be entitled to vote who is not, as the case may be, a Muhammadan, a European, or an Indian Christian.

17. The qualifications entitling a person to vote in territorial constituencies at elections of members of a Provincial Legislative Council, and the qualifications to be possessed by members of such Councils, shall be such as may be prescribed.

18. The term of office of a member of the Legislative Council of a Province, other than a member chosen to fill a casual vacancy, shall be nine years, but upon the first constitution of the Council the Governor in his discretion shall make by order such provision as he thinks fit, by curtailing the term of office of some of the members then chosen, for securing that, as nearly as may be, one-third of the members holding seats of each class shall retire in every third year thereafter.

A member chosen to fill a casual vacancy shall be chosen to serve for the remainder of his predecessor's term of office.

General.

19. In the foregoing provisions of this Schedule the following expressions have the meanings hereby assigned to them, that is to say,—

"a European," "an Anglo-Indian," "an Indian Christian" and "the scheduled castes" have the same meanings respectively as they have in Part I of the First Schedule to this Act;

"backward areas" and "backward tribes" mean respectively such areas and tribes as His Majesty in Council may from time to time declare to be areas and tribes to which a special system of representation is more appropriate; and

"prescribed" means prescribed by His Majesty in Council or, so far as regards any matter which under this Act the Provincial Legislature or the Governor are competent to regulate, prescribed by an Act of that Legislature or by a rule made under the next succeeding paragraph.

20. In so far as provision with respect to any matter is not made by this Act or by His Majesty in Council or, after the constitution of the Provincial Legislature, by Act of that Legislature (where the matter is one with respect to which that Legislature is competent to make laws), the Governor, exercising his individual judgment, may make rules for carrying into effect the foregoing provisions of this Schedule and the provisions of the Sixth Schedule and securing the due constitution of the Provincial Legislature and in particular, but without prejudice to the generality of the foregoing words, with respect to—

(i) the notification of vacancies, including casual vacancies, and the proceedings to be taken for filling vacancies;

(ii) the nomination of candidates;

(iii) the conduct of elections, including the application to elections of the principle of proportional representation by means of the single transferable vote, and the rules to regulate elections where certain of the seats to be filled are reserved for members of the scheduled classes, or in the case of Bombay for Marathas, or where certain of the seats allotted to any community must be held by a woman or by a specified type of landholder;

(iv) the expenses of candidates at elections;

(v) corrupt practices and other offences at or in connection with elections;

(vi) the decision of doubts and disputes arising out of or in connection with elections; and

(vii) the manner in which the rules are to be carried into effect.

TABLE OF SEATS.

Provincial Legislative Assemblies.

Province.	Total Seats.	General seats. Total of General Seats.	General seats. General Seats reserved for Scheduled Castes.	Seats for representatives of backward areas and tribes.	Sikh Seats.	Muhammadan Seats.	Anglo-Indian Seats.	European Seats.	Indian Christian Seats.	Seats for representatives of commerce, industry, mining and planting.	Landholders Seats.	University Seats.	Seats for representatives of labour.	Seats for women. General.	Seats for women. Sikh.	Seats for women. Muhammadan.	Seats for women. Anglo-Indian.	Seats for women. Indian Christian.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)
Madras	215	146	30	1	..	28	2	3	8	6	6	1	6	6	..	1	..	
Bombay	175	114	15	1	..	29	2	3	3	7	2	1	7	5	..	1	..	
Bengal	250	78	30	..	..	117	3	11	2	19	5	2	8	2	..	2	1	..
United Provinces ..	228	140	20	..	..	64	1	2	2	3	6	1	3	4	..	2	..	..
Punjab	175	42	8	..	31	84	1	1	2	1	5	1	3	1	1	2	..	..
Bihar	152	86	15	7	..	39	1	2	1	4	4	1	3	3	..	1	..	..
Central Provinces and Berar.	112	84	20	1	..	14	1	1	..	2	3	1	2	3	..	..	..	..
Assam	108	47	7	9	..	34	..	1	1	11	..	..	4	1	..	..	..	..
North-West Frontier Province.	50	9	..	..	3	36	..	..	..	..	2	..	..	..	..	..	..	..
Orissa	60	44	6	5	..	4	..	..	1	1	2	..	1	2	..	..	..	..
Sind	60	18	..	..	..	33	..	2	..	2	2	..	1	1	..	1	..	..

In Bombay seven of the general seats shall be reserved for Marathas.
In the Punjab one of the Landholders' seats shall be a seat to be filled by a Tumandar.
In Assam and Orissa the seats reserved for women shall be non-communal seats.

TABLE OF SEATS.

Provincial Legislative Councils.

Province. (1)	Total of seats. (2)	General seats. (3)	Muhammadan seats. (4)	European seats. (5)	Indian Christian seats. (6)	Seats to be filled by Legislative Assembly. (7)	Seats to be filled by Governor. (8)
Madras	Not less than .. 54 Not more than .. 56	35	7	1	3	..	Not less than 8. Not more than 10.
Bombay	Not less than .. 29 Not more than .. 30	20	5	1	..	..	Not less than 3. Not more than 4.
Bengal	Not less than .. 63 Not more than .. 65	10	17	3	..	27	Not less than 6. Not more than 8.
United Provinces	Not less than .. 58 Not more than .. 60	34	17	1	..	..	Not less than 6. Not more than 8.
Bihar	Not less than .. 29 Not more than .. 30	9	4	1	..	12	Not less than 3. Not more than 4.
Assam	Not less than .. 21 Not more than .. 22	10	6	2	..	..	Not less than 3. Not more than 4.

SIXTH SCHEDULE TO THE GOVERNMENT OF INDIA ACT, 1935.

PROVISIONS AS TO FRANCHISE.

PART I.

General.

1. There shall be an electoral roll for every territorial constituency and no person who is not, and, except as expressly provided by this Schedule, every person who is, for the time being included in the electoral roll for any such constituency shall be entitled to vote in that constituency.

2. The electoral rolls for the territorial constituencies shall be made up and from time to time in whole or in part revised by reference to such date, in this Schedule referred to as " the prescribed date," as may be directed in each case by the Governor, exercising his individual judgment.

3. No person shall be included in the electoral roll for any territorial constituency unless he has attained the age of twenty-one years and is either—

(*a*) a British subject; or

(*b*) the Ruler or a subject of a Federated State; or

(*c*) if and so far as it is so prescribed with respect to any Province, and subject to any prescribed conditions, the Ruler or a subject of any other Indian State.

4. No person shall be included in the electoral roll for, or vote at any election in, any territorial constituency if he is of unsound mind and stands so declared by a competent court.

5. No person shall be included in the electoral roll for a Sikh constituency, a Muhammadan constituency, an Anglo-Indian constituency, a European constituency or an Indian Christian constituency unless he is a Sikh, a Muhammadan, an Anglo-Indian, a European or an Indian Christian, as the case may be.

6. No person who is or is entitled to be included in the electoral roll for any Sikh constituency, Muhammadan constituency, Anglo-Indian constituency, European constituency or Indian Christian constituency in any Province shall be included in the electoral roll for a general constituency in that Province, or vote at any election to fill a general seat therein:

Provided that this paragraph shall not apply in relation to the general seats reserved for women in Assam and Orissa or the constituencies for the election of persons to fill those seats.

7. No person shall in any Province vote at a general election in more than one territorial constituency, and in each Province such provisions, if any, as may be prescribed in relation to that Province shall have effect for the purpose of preventing persons being included in the electoral roll for more than one territorial constituency in the Province:

Provided that, in any Province in which territorial constituencies have been specially formed for the purpose of electing women members, nothing in this paragraph or in any such provisions shall prevent a person from being included in the electoral roll for, and voting at a general election in, one territorial constituency so formed and also one territorial constituency not so formed.

8. No person shall be included in the electoral roll for, or vote at any election in, a territorial constituency if he is for the time being disqualified from voting under the provisions of any such Order in Council, Act of the Provincial Legislature or rules made by the Governor as may be made or passed under this Act with respect to corrupt practices and other offences in connection with elections, and the name of any person who becomes so disqualified shall forthwith be struck off all the electoral rolls for territorial constituencies in which it may be included.

9. No person shall vote at any election in any territorial constituency, if he is for the time being undergoing a sentence of transportation, penal servitude, or imprisonment.

10. The following provisions shall have effect with respect to the enfranchisement of women in respect of the qualifications of their husbands—

(*a*) a woman who, at the date of the death of her husband, is included in an electoral roll for a territorial constituency by virtue of his qualifications shall, notwithstanding anything in the subsequent provisions of this Schedule, continue to be on the roll for that constituency unless she remarries or becomes disqualified under the foregoing provisions of this Schedule for inclusion in that roll;

(*b*) not more than one woman shall at any one time appear in the electoral rolls for the territorial constituencies in a Province in respect of the qualifications of any particular man and any question which of several women is to be selected for inclusion shall be determined in the prescribed manner:

Provided that, if a woman who is entitled by virtue of sub-paragraph (*a*) of this paragraph to remain on the roll of a territorial constituency changes her place of residence, then, if she so disires, she may, on any subsequent revision of the roll, be transferred to the roll of such other territorial constituency as may be appropriate.

11. For the purposes of this Schedule any property owned, held, or occupied or payment made by, or assessment made on, a

person as a trustee, guardian, administrator or receiver or in any other fiduciary capacity, shall, except as otherwise expressly provided in this Schedule, be left out of account.

12. This Schedule shall have effect as if any reference therein to an officer, non-commissioned officer, or soldier of His Majesty's regular military forces included a reference to an officer or man of any British India police force, not being an officer or man who has been dismissed or discharged from that force for disciplinary reasons, and a reference to an officer, non-commissioned officer or soldier of the Auxiliary Force (India) or the Indian Territorial Force, not being an officer, non-commissioned officer or soldier who has been dismissed or discharged from the force for disciplinary reasons, or has served in the force for less than four years.

13. (1) In this Schedule, except where the context otherwise requires—

" territorial constituency " means one of the territorial constituencies mentioned in paragraphs five and eight of the Fifth Schedule to this Act;

" European," " Anglo-Indian," " Indian Christian " and "scheduled castes " have the same meanings respectively as they have in Part I of the First Schedule to this Act;

" Indian Christian constituency " does not include any constituency which may be formed for choosing persons to fill the Indian Christian seat in Bihar;

" person " does not include a body of persons;

" prescribed," except in the phrase " the prescribed date," has the same meaning as in the Fifth Schedule to this Act;

" previous financial year," " previous Bengali year " and " previous fasli year " mean, respectively, the financial year, the Bengali year, and the fasli year immediately preceding that in which the prescribed date falls;

" house " and " building " include, respectively, a part of a house or building separately occupied as a dwelling or for the purposes of any trade, business, or profession;

" literate " means, in relation to any person, able to read and write in some language or dialect selected by him, being a language or dialect in common use in some part of India;

" cantonment " means a cantonment for the purposes of the Cantonments Act, 1924, and " cantonment record " means a record prepared under that Act.

(2) Any reference in this Schedule to " urban constituencies " or " rural constituencies " shall be construed as a reference to such territorial constituencies as may be classified as urban or rural constituencies, respectively, by an Order in Council delimiting territorial constituencies:

Provided that any such Order in Council may direct that any Anglo-Indian constituency, European constituency, or Indian Christian constituency shall be deemed to be an urban constituency for some purposes and a rural constituency for other purposes.

(3) Any reference in this Schedule to persons assessed to income-tax in any financial year shall be deemed to include a reference to any partner in a firm assessed to income-tax in that year if his share of the firm's income on which income-tax was so assessed is certified in the prescribed manner to have been not less than the minimum on which the tax is leviable.

(4) If any question arises under this Schedule whether any person is or is not a Sikh, he shall be deemed to be a Sikh if and only if he makes in the prescribed manner a declaration in the prescribed form that he is a Sikh.

(5) Any reference in this Schedule to a retired, pensioned or discharged officer, non-commissioned officer or soldier of any force shall be deemed not to include a reference to any person who has been dismissed or discharged from that force for disciplinary reasons.

(6) Any reference in this Schedule to all or any of the provisions of any Indian Act shall be construed as a reference to those provisions as amended by or under any other Act or, if those provisions are repealed and re-enacted with or without modification, to the provisions so re-enacted.

(7) If the boundaries of any district or other administrative area mentioned in this Schedule are altered, any reference in this Schedule to that district or area shall thereafter be taken as a reference to the district or area as altered.

Part II.

Madras.

General requirement as to residence.

1. No person shall be qualified to be included in the electoral roll for a territorial constituency unless he has resided in a house in the constituency for a period of not less than one hundred and twenty days in the previous financial year.

A person is deemed to reside in a house if he sometimes uses it as a sleeping place and a person is not deemed to cease to reside in a house merely because he is absent from it or has another dwelling in which he resides, if he is at liberty to return to the house at any time and has not abandoned his intention of returning.

Qualifications dependent on taxation.

2. Subject to the provisions of Part I of this Schedule and to any overriding provisions of this Part of this Schedule, a person shall be qualified to be included in the electoral roll for any territorial constituency if in the previous financial year he—

(*a*) paid tax under the Madras Motor Vehicles Taxation Act, 1931, for the whole of that year; or

(b) paid for both the half years of that year to a municipality, local board or cantonment authority in the Province profession tax under the Madras City Municipal Act, 1919, the Madras District Municipalities Act, 1920, the Madras Local Boards Act, 1920, or the Cantonments Act, 1924; or

(c) paid for both the half years of that year to a municipality or cantonment authority in the Province property tax under any of the said Acts; or

(d) paid for both the half years of that year house tax under the Madras Local Boards Act, 1920; or

(e) occupied as sole tenant throughout that year a house in respect of which property tax or house tax has been paid for both the half years of that year under any of the Acts mentioned in this paragraph; or

(f) was assessed to income-tax.

Qualifications dependent on property, etc.

3. Subject as aforesaid, a person shall also be qualified to be included in the electoral roll for any territorial constituency if he—

(a) was on the last day of the previous fasli year a registered landholder, inamdar, ryotwari pattadar or occupancy ryot under the Madras Estates Land Act, 1908; or

(b) was in and for the previous fasli year assessed to ground rent payable to the Government of the Province; or

(c) was throughout the previous fasli year a kanamdar or kuzhikanamdar or the holder of a kudiyiruppu or a verumpattamdar having fixity of tenure, each of these terms having the meaning assigned to it in the Malabar Tenancy Act, 1929; or

(d) was throughout the previous fasli year a mortgagee with possession or lessee, under a registered instrument, of immovable property in the Province (other than house property) of an annual rent value, in the case of an urban constituency, of not less than one hundred rupees, and, in the case of a rural constituency of not less than fifty rupees.

4. (1) Sub-paragraph (a) of the last preceding paragraph shall not apply in relation to registered joint landholders, registered joint inamdars, registered joint ryotwari pattadars or registered joint occupancy ryots, but in relation to such persons (being persons so registered on the last day of the previous fasli year) the following provisions of this paragraph shall have effect.

(2) Where the joint holding of any joint landholders or joint holders of a whole inam village is of an annual rental of one thousand rupees or upwards, then subject to the provisions of

Part I of this Schedule and to any overriding provisions of this Part of this Schedule, one registered joint holder for every complete five hundred rupees of the annual rental of the joint holding shall be qualified to be included in the electoral roll of the appropriate territorial constituency.

(3) Where the annual assessment, rent or kist of the joint holding of joint holders of a minor inam, a ryotwari patta or an estate patta is one hundred rupees or upwards, then, subject as aforesaid, one registered joint holder for every complete fifty rupees of the annual assessment, rent or kist shall be qualified to be included in the electoral roll of the appropriate territorial constituency.

(4) In other cases, one of the registered joint holders shall, subject as aforesaid, be qualified to be included in the electoral roll of the appropriate territorial constituency.

(5) The registered holders to be included under this paragraph in an electoral roll in respect of a joint holding shall be those nominated in an application in that behalf, signed by a majority of the registered joint holders.

Qualification by reason of guardianship.

5. Subject as aforesaid, a person shall also be qualified to be included in the electoral roll for any territorial constituency if he is on the prescribed date the guardian of a minor who by virtue of the foregoing provisions of this Part of this Schedule would have been entitled to be included in the electoral roll for that constituency if he were of full age and satisfied the requirements of paragraph 1 of this Part of this Schedule.

Qualification by reason of literacy.

6. Subject as aforesaid, a person shall also be qualified to be included in the electoral roll for any territorial constituency if he is proved in the prescribed manner to be literate.

Qualification by reason of service in His Majesty's Forces.

7. Subject as aforesaid, a person shall also be qualified to be included in the electoral roll for any territorial constituency if he is a retired, pensioned or discharged officer, non-commissioned officer or soldier of His Majesty's regular military forces.

Additional qualifications for women.

8. Subject as aforesaid. a person who is a woman shall also be qualified to be included in the electoral roll for any territorial constituency—

(*a*) if she is the pensioned widow or the pensoined mother of a person who was an officer, non-commissioned officer or soldier of His Majesty's regular military forces; or

(*b*) if her husband possesses the qualifications requisite for the purpose of this paragraph.

9. A husband shall be deemed to possess the qualifications requisite for the purposes of the last preceding paragraph if he either—

(a) was assessed in the previous financial year to income tax; or

(b) is a retired, a pensioned or discharged officer, non-commissioned officer or soldier of His Majesty's regular military forces; or

(c) occupied for not less than six months in the previous financial year a house in the City of Madras the annual value whereof was not less than sixty rupees, not being a house in any military or police lines; or

(d) was assessed in the Province in the previous financial year to tax on companies; or

(e) was assessed in the Province in the previous financial year to an aggregate amount of not less than three rupees in respect of either or both of the following taxes, namely, property tax or profession tax; or

(f) is registered as a ryotwari pattadar or an inamdar of land the annual rent value whereof is not less than ten rupees; or

(g) holds under a ryotwari pattadar or an inamdar a registered lease of land the annual rent value whereof is not less than ten rupees; or

(h) is registered jointly with the proprietor under section fourteen of the Malabar Land Registration Act, 1895, as the occupant of land the annual rent value whereof is not less than ten rupees; or

(i) is a landholder holding an estate the annual rent value whereof is not less than ten rupees; or

(j) holds as ryot, or as tenant under a landholder, land the annual rent value whereof is not less than ten rupees.

Application necessary for enrolment in certain cases.

10. No person shall, by virtue of sub-paragraph (e) of paragraph two, sub-paragraph (c) or sub-paragraph (d) of paragraph three, paragraph five, paragraph six, or paragraph eight, of this Part of this Schedule, be included in the electoral roll of any territorial constituency unless application is made in the prescribed manner by him or, if it is so prescribed, on his behalf, that he should be so included:

Provided that, except in relation to the original preparation of electoral rolls and revisions thereof within three years from the commencement of Part III of this Act, this paragraph shall, as respects women qualified by virtue of their husbands' qualifications, have effect only where the husband's qualification is that mentioned in sub-paragraph (b) of paragraph nine of this Part of this Schedule.

General provisions as to joint property, etc.

11. (1) Subject to the provisions of this paragraph, property held and payments made jointly by, and assessments made jointly

on, more than one person, shall be left out of account for the purposes of this Part of this Schedule.

(2) Where any such property, payments or assessments would qualify a person if they had been held or made by, or made on him solely, then, subject to the provisions of Part I of this Schedule and to any overriding provisions of this Part of this Schedule, one of those persons shall be qualified in respect of the property, payment or assessment and that person shall be—

(a) if the property is held, or the payments or assessments made, by or on a Hindu joint family, the manager thereof;

(b) if the property is held or the payments or assessments made by or on any other joint famiy, the member thereof authorised in that behalf of the family themselves;

(c) in any other case, the person authorised in that behalf by a majority of the persons by or on whom the property is held or the payments or assessments made.

(3) Nothing in this paragraph affects paragraph four of this Part of this Schedule, or the provisions of Part I of this Schedule relating to partners in firms assessed to income tax.

Interpretation, etc.

12. (1) In this Schedule, in relation to Madras—

"estate" means an estate as defined in the Madras Estates Land Act, 1908;

"fasli year" means a year ending on the thirtieth day of June;

"landholder" means a person owning an estate or part of an estate and includes every person entitled to collect the rent of the whole or part of an estate by virtue of any transfer from the owner or his predecessor in title or of any order of a competent court, or of any provision of law;

"rent value" means the value as determined in accordance with the provisions of section seventy-nine of the Madras Local Boards Act, 1920, with reference to the accounts of the previous fasli year or, in any case in which it is not possible so to determine the rent value, such value as appears to the registration officer to be the rent value;

"tenant" includes all persons who, whether personally or by an agent, occupy a house or land under the owner or landholder or intermediate landholder, whether or not rent is paid to the owner, landholder or intermediate landholder, as the case may be, except that it does not include any person occupying a house in military or police lines rent free by virtue of any office, service or employment.

(2) A person who is paying or is liable to pay the rent of a house shall be deemed to occupy it.

THE MADRAS LEGISLATIVE ASSEMBLY (PREPARATION, REVISION AND PUBLICATION OF ELECTORAL ROLLS) RULES, 1936.

In exercise of the powers conferred by paragraph twenty of the Fifth Schedule to the Government of India Act, 1935, read with paragraph twenty-six of Part I of the Government of India (Provincial Legislative Assemblies) Order, 1936, and of all other powers enabling him in that behalf, the Governor of Madras in Council is hereby pleased to make the following rules for the preparation, revision and publication of the electoral rolls for the Madras Legislative Assembly :—

INTRODUCTORY.

1. These rules may be called the Madras Legislative Assembly (Preparation, Revision and Publication of Electoral Rolls) Rules, 1936.

2. If any difficulty arises as to the preparation, revision or publication of any electoral roll or any list of amendments to any such electoral roll under these rules, the Governor may by order do anything, not inconsistent with these rules or with any provision of the Act or any Order in Council made under the Act, which appears to him to be necessary for the proper preparation, revision or publication of the roll or of the list of amendments.

3. If any question arises as to the interpretation of these rules, the question shall be referred to the decision of the Governor and his decision shall be final.

4. In relation to the first elections to the Legislative Assembly the functions devolving on the Governor under these rules shall be exercised by the Governor in Council; in relation to subsequent elections the functions under the two foregoing rules and the rules mentioned hereunder shall be exercised by the Governor acting in his individual judgment—

Section I—Rules 2 (*a*), 4 (*b*) and 24.
Section II—Rules 2, 5 and 23.
Section III—Rules 2, 3 and 19.
Section IV—Rules 1, 2, 3 (*a*) and 17.
Section V—Rules 2, 3 (*a*), 21 and 22 (1).
Section VI—Rules 2 and 18.

5. The Ruler of an Indian State shall not be disentitled to be included in the electoral roll for any constituency if he is otherwise qualified for such inclusion, provided that he makes an application in writing in that behalf.

6. A subject of an Indian State shall not by reason only of the fact that he is not a British subject be deemed to be disentitled for being an elector of any constituency.

Section I.

Territorial Constituencies other than the European and the Anglo-Indian Constituencies.

1. The rules in this section shall apply to the preparation of electoral rolls for the territorial constituencies except the European and the Anglo-Indian constituencies.

2. (*a*) There shall be a separate electoral roll for each constituency. The electoral roll shall be prepared and revised from time to time by reference to the date prescribed by the Governor in pursuance of paragraph two of Part I of the Sixth Schedule to the Government of India Act, 1935. The electoral roll for each constituency shall contain the following particulars, viz., the elector's name, father's or karnavan's or husband's name, address and qualification. It shall be maintained in Form I and shall be divided into parts for each registration area comprised in the constituency and each part shall be divided into sections for each polling area within the registration area. Polling areas in each taluk of a registration area shall be numbered in separate series and the electors in each polling area shall be numbered in one series. The villages in each rural polling area shall be arranged alphabetically and the names in each village shall be arranged alphabetically. In municipal areas, the electors shall be arranged alphabetically for each ward in a polling area.

(*b*) The names of electors belonging to the scheduled castes shall be entered in a separate section at the end of the general electoral roll for each village or polling area.

(*c*) The electoral rolls for the constituencies formed for the purpose of electing women members shall be the same as the electoral rolls for the General, Muhammadan or Indian Christian constituencies, as the case may be, for the areas prescribed as the women's constituencies.

3. Each electoral roll shall be kept in the vernacular of the district, provided that the Governor may direct that any particular roll or part of a roll shall be kept in any other language or languages.

4. (*a*) The City of Madras, each mufassal municipality and each revenue division of a district, excluding the municipal areas in such division, shall be a separate registration area.

(*b*) The Commissioner of the Corporation of Madras for the City of Madras, the executive authority of the municipal council

for each mufassal municipality and the Revenue Divisional Officer for each revenue division shall be the registration officers :

Provided that any of the powers and duties of the registration officer may be exercised and performed by any deputy for the time being approved by the Governor and the provisions of these rules shall, in respect of the powers and duties to be exercised and performed by him, apply to such deputy so far as they apply to the registration officer.

5. Each registration area shall be divided into separate polling areas. Subject to any general or special instructions which the Governor may issue, the polling areas shall be determined by the Commissioner of the Corporation of Madras in the City of Madras, and by the Revenue Divisional Officers in other areas :

Provided that the polling areas shall be so arranged as to give all electors such reasonable facilities for voting as are practicable in the circumstances and provided also that different polling areas may be prescribed for different constituencies in the same registration area.

6. (*a*) It shall be the duty of the registration officer to cause inquiry to be made and to prepare, or cause to be prepared, lists of all persons within his registration area appearing to be entitled to be registered as electors in the roll for each constituency. The registration officer shall publish by beat of tom tom the fact that the electoral roll has to be prepared, in each ward in the case of municipal areas and in each village in the case of rural areas. The lists shall be prepared in the form prescribed for the roll and shall also contain particulars of the qualification entitling each person to registration. The names of female electors shall be distinguished by means of the letter " S, " or its vernacular equivalent and those of electors who are qualified by the literacy qualification alone shall be denoted by the letter " L."

(*b*) If any question arises whether an Indian soldier was or was not dismissed or discharged for disciplinary reasons, and satisfactory evidence is not produced, verification shall be made by reference to the appropriate authority mentioned in the Schedule.

(*c*) If any question arises whether a partner in a firm assessed to income-tax is or is not eligible to be registered as an elector [paragraph 13 (3) of Part I of the Sixth Schedule to the Act], the question shall be determined with reference to the production of a certificate in Form II.

7. (*a*) Any person who claims to be included in the electoral roll of a territorial constituency by virtue of the undermentioned qualifications shall present an application in Form III to the registration officer concerned in person with the evidence necessary to prove the existence of the qualification relied on—

Provided that an application signed by a woman who has scruples against appearing in public may be presented by her

husband or other relative in which case the person presenting the application shall endorse on the reverse :

"Application presented by me, the applicant claiming exemption from personal appearance.

Signature and address in full."

Station
Date

(1) Occupation as sole tenant throughout the previous financial year of a house in respect of which property-tax or house-tax has been paid for both the half years of that year—[paragraph 2 (*c*) of Part II of the Sixth Schedule to the Act].

(2) Being throughout the previous fasli year a kanamdar or kuzhikanamdar or the holder of a kudiyiruppu or a verumpattamdar having fixity of tenure—[paragraph 3 (*c*) of Part II of the Sixth Schedule to the Act].

(3) Being throughout the previous fasli year a mortgagee with possession or lessee under a registered instrument of immovable property in the Province (other than house property) of an annual rent value, in the case of an urban constituency of not less than one hundred rupees and in the case of a rural constituency of not less than fifty rupees—[paragraph 3 (*d*) of Part II of the Sixth Schedule to the Act].

(4) Being the guardian of a minor who by virtue of the provisions of paragraphs 1 to 4 of Part II of the Sixth Schedule to the Act would have been entitled to be included in the electoral roll for that constituency if he were of full—[paragraph 5 of Part II of the Sixth Schedule to the Act].

(5) Being a literate—[paragraph 6 of Part II of the Sixth Schedule to the Act].

(6) Being the wife of a retired, pensioned, or discharged officer, non-commissioned officer or soldier of His Majesty's regular Military forces—[paragraph 9 (*b*) of Part II of the Sixth Schedule to the Act].

(*b*) The registration officer shall receive applications made under sub-rule (*a*) up to the date mentioned in sub-rule (*a*) of rule 2; he may also fix dates for the presentation of these applications at convenient centres in the registration area and notify this information by notices posted in public offices.

(*c*) Not more than one woman shall at any time be enfranchised by one man's qualification. A person having more than one wife shall nominate one of his wives to exercise the electoral right. The nomination once made shall be final and shall not be open to challenge.

(*d*) A claimant under clause (5) of sub-rule (*a*) shall be required to write the application in Form III in his own handwriting either in the presence of the registration officer or under the certificate of a village officer or an officer in the superior service of any Government Department not lower in rank than a lower division clerk.

This writing or certificate may be accepted as proof that the claimant is literate.

(*e*) Copies of Form III may be obtained free on application from the offices of the registration officers, Tahsildars or Deputy Tahsildars.

(*f*) The registration officer shall pass orders on all applications after such enquiry as may be necessary. He may reject summarily any application which does not comply with any of these rules.

8. (*a*) No person's name shall be entered in the electoral roll of more than one territorial constituency or in more than one place in the electoral roll of the same territorial constituency.

(*b*) If a person is qualified to have his name registered in the electoral roll of two or more territorial constituencies or in two or more places in the roll of the same territorial constituency, his name shall be entered in the roll of the constituency or, as the case may be, in the portion of the roll relating to the village or municipal ward in which he ordinarily resides or is believed ordinarily to reside :

Provided that a person whose name is so entered may prefer a claim under sub-rule (*a*) of rule 12 to have his name entered in the roll of any other territorial constituency or, as the case may be, in the portion of the roll of the same constituency relating to another village or municipal ward where he possesses the necessary qualifications; and if the claim is allowed his name shall be entered in the roll or, as the case may be, in the portion of the roll desired and his name shall be removed from the roll or portion thereof where it was originally entered.

9. (*a*) The preliminary rolls shall be prepared from the lists compiled with reference to rule 6 and the applications received with reference to sub-rule (*a*) of rule 7 and published by posting them in the office of the registration officer not later than the date fixed by the Governor in this behalf. If the preliminary roll contains no names, the registration officer shall publish a *nil* list.

(*b*) With the preliminary roll the registration officer shall publish notices in Form IV specifying the places where copies of the rolls are available, the mode in which and the time within which claims and objections are to be preferred and the date on which and the place at which the revising authority will begin to sit for their disposal.

10. (*a*) As soon as may be after such publication, copies of the rolls with the notices referred to in sub-rule (*b*) of rule 9 shall be issued as a supplement to the District Gazette.

(b) Copies of the parts of the preliminary roll relating to each registration area shall be made available for inspection and sale in the case of municipal areas in the municipal offices and in the case of other areas in the offices of the Revenue Divisional Officers, Tahsildars and Deputy Tahsildars concerned. A copy of the roll relating to each polling area with a notice in Form IV shall be posted in each of the public offices situate in the polling area and in rural areas a copy of the roll relating to each village, with the notice shall also be posted in the village chavadi; where there are no public offices or village chavadies, the publication of the roll shall be made at such other places as the registration officer may decide.

(c) The fact of publication of the preliminary roll shall be published in each ward of a municipality and in the case of rural areas in each village by beat of tom-tom.

11. The registration officer may—

(1) if the time prescribed by the Governor for the publication of the preliminary roll has not expired, within the time so fixed, or

(2) if such time has already expired within such further time as may be prescribed by the Governor,

publish a revised preliminary roll in supersession of the roll already published or any part thereof or a list of additions and corrections thereto, in the manner prescribed by the foregoing rules.

Claims and Objections.

12. (a) Any person who claims to be entitled to be registered as an elector and who is not entered or is entered in an incorrect place or manner or with incorrect particulars on the preliminary roll and any person whose name is on the roll and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer a claim or an objection to the revising authority. Such claim or objection shall be sent in Form V or VI as the case may be to the registration officer so as to reach him on or before the date fixed by the Governor in this behalf. The claim or objection shall contain full particulars of the qualifications on which the claim is based or the reasons for objection; and the claimant or the objector shall forward along with his claim or objection full evidence in support of the claim or objection or in case this is not possible, shall produce it before the revising authority. In rural areas, the claim or objection may be sent to a Tahsildar or Deputy Tahsildar within the jurisdiction of the registration officer, before the prescribed date; and the Tahsildar or Deputy Tahsildar shall immediately on receipt of the claim or objection have the facts stated therein verified and forward the claim or objection to the registration officer with a certificate of verification.

(b) Claims and objections may be preferred in person or by agent or sent by post.

(c) Claims and objections received after the prescribed date shall be rejected.

(d) The revising authority shall not admit a claim based on the possession of any of the qualifications referred to in sub-rule (a) of rule 7 unless an application as required by that sub-rule has been presented to the registration officer on or before the date referred to in sub-rule (a) of rule 2.

(e) Forms of claims and of notices of objections may be obtained free on application from the registration officer, Tahsildars and Deputy Tahsildars.

13. The registration officer may of his own motion remove from the rolls the names of persons whom he has reason to believe to be dead and correct clerical or accidental mistakes. He may also of his own motion add names of qualified persons and remove names of disqualified persons.

14. The registration officer shall, not later than the date fixed by the Governor in this behalf,—

(a) post in his own office, in the offices of Tahsildars and Deputy Tahsildars, in each ward of municipalities and in such other places as the registration officer may decide lists of claims and objections received in time and of corrections, additions and removals made by him of his own motion in Form VII; and

(b) send a copy of every notice of objection to the person to whose registration objection has been taken and whenever possible give intimation to the person concerned of the correction, addition and removal made by him of his own motion.

In the lists referred to in clause (a) and in the copy and intimation sent under clause (b), the registration officer shall give notice that the claims, objections, corrections, additions and removals will be taken into consideration by the revising authority at a place and on a date to be specified therein.

Revising Authority.

15. For each registration area, there shall be constituted a revising authority consisting of the registration officer as Chairman and two non-officials to be nominated by the Collector of the district:

Provided that the Collector shall also nominate additional members for each revising authority so that in the event of a member of a revising authority being unable to attend a sitting of the authority, one of the additional members summoned by the chairman may take the place of that member.

Provided further that for the revising authority constituted for the City of Madras and for each Revenue division the Collector may appoint a Deputy Chairman, such Deputy Chairman being the

Revenue Officer of the Corporation of Madras in the one case and the Tahsildar at the division headquarters concerned in the other.

16. The revising authority shall sit in open office on the day fixed and from day to day until all the claims and objections are disposed of. They shall make such inquiry as they think fit in regard to each claim or objection and pass orders in writing thereon with reasons if a claim is rejected or an objection contested; they shall also pass final orders on the lists of corrections, additions and removals made by the registration officer of his own motion. In case of a difference of opinion among the members, the opinion of the majority shall prevail. The decisions of the revising authority shall be final.

17. On the consideration of any claim or objection or other matter by the revising authority any person appearing to be interested therein may appear and be heard either in person or by duly authorized agent.

Publication of Final Roll.

18. The registration officer shall correct the rolls in accordance with the orders of the revising authority and the final rolls shall be published by posting them in the office of the registration officer not later than the date fixed by the Governor in this behalf. If it is more convenient the preliminary rolls together with the lists of additions and corrections may be published as the final rolls. As soon as may be after such publication, the lists of additions and corrections or, if it is more convenient, the entire roll as revised shall be issued as a supplement to the District Gazette and copies of the parts of the lists or of the roll relating to each registration area shall also be made available for inspection, and posted in villages in the manner prescribed in rule 10 (*b*).

19. Two copies of the roll or part of the roll relating to his registration area shall be signed by each registration officer. One of them shall be kept in his office and the other forwarded to the Returning officer for the constituency.

20. The Returning officer shall combine the separate parts of each roll and form a complete roll for each constituency. He may at any time correct clerical mistakes or misprints in the final rolls and shall see that the corrections, if any, are carried out in all the copies of the roll.

General.

21. Copies of the final roll (or of the preliminary roll with the list of additions and corrections) relating to each registration area shall be made available for inspection and sale in the office of the registration officer. Complete sets of the final roll (or of the preliminary roll with the lists of additions and corrections) for the several registration areas shall be kept in the office of the Returning officer for inspection and sale and for supply to the presiding officers at the polls.

22. Any notice which is required to be sent by the registration officer under these rules to any person shall be sufficiently sent, if sent by post to the address of that person as given by him for the purpose, or as appearing on the roll, or if there is no such address, to his last known place of abode.

23. The Governor shall have power to postpone from time to time any of the dates fixed by him under this section.

Annual Revision of Electoral Rolls.

24. The Governor shall every year notify a date by which applications may be presented to the registration officer for the addition of new names to the roll or for the deletion or alteration of names included in it. The registration officer shall pass orders on all such applications, which orders shall be subject to revision by the revising authority as prescribed by rules 12 to 17.

SCHEDULE.

[See rule 6 (*b*).]

(*a*) *Departmental officers and warrant officers and Indian ranks.*

Unit or corps.	Authorities competent to verify particulars of discharge.
R.I.A.S.C.	Officer-in-charge, R.I.A.S.C., Records, Dagshai.
I.A.O.C.	Master-General of the Ordnance, Army Headquarters.
I.U.L. & I.A.C.C.	Adjutant-General in India, Army Headquarters.
I.A.V.C.	Officer-in-charge, I.A.V.C., Records, Ambala.
Hospital Corps	Officer Commanding the Company or Corps concerned.

(*b*) *Regimental Indian ranks.*

Royal Artillery	The Commandant, M.A.T.C. The Commandant, R.A.T.C.
Cavalry	Officer Commanding Group Centre Unit.
Infantry	The Commandant of the Training Battalion of the regiment.
Gurkhas	Officer-in-charge, Gurkha Records.
Sappers & Miners	The Commandant of the Corps Headquarters concerned.

FORM I.

MADRAS LEGISLATIVE ASSEMBLY.

Territorial Constituencies other than European and Anglo-Indian

[See rule 2 (*a*).]

Electoral roll for.................. constituency.

Part   Registration area
Section.   Polling area No.   Polling* station.

1 Serial number.
2 Name.
3 Father's, karnavan's or husband's name.
4 Address (hamlet and main village in rural areas or street and door number in panchayat areas and municipalities).
5 Head of qualification.

* The polling station mentioned here is only provisional and is liable to be changed by the Returning officer.

FORM II.

MADRAS LEGISLATIVE ASSEMBLY.

Territorial Constituencies other than European and Anglo-Indian.
[See rule 6 (*c*).]

This is to certify that..............is a partner in the firm of.................. The firm was assessed to income-tax in.................... and his share of the firm's income on which income-tax was assessed was not less than the minimum on which income-tax is leviable.

Income-tax Officer.

Station.
Date.

FORM III.

MADRAS LEGISLATIVE ASSEMBLY.

Territorial Constituencies other than European and Anglo-Indian.
[See rule 7.]

To
Registration officer....................
Registration area

Sir,

I...........hereby apply to be included in the electoral roll of the........... constituency................. registration area.................polling area. I attach evidence of my qualification.

Signature.

Name in full of claimant. (1)	Father's or karnavan's or husband's name and in case of claimants by guardianship, the name of the minor. (2)	Address (hamlet and main village or street and door number). (3)	Head of qualification. (4)	Nature of evidence produced in support of application. (5)

Certificate to be filled in where enrolment is applied for on literacy qualification alone.

I certify that the above applicant..............wrote this application in his own handwriting and in my presence.

Station }
Date }

Signature.
Designation of Officer.

FORM IV.

MADRAS LEGISLATIVE ASSEMBLY.

Territorial Constituencies other than European and Anglo-Indian.
[See rule 9 (*b*).]

Name of constituency—

1. The preliminary roll of electors for registration area is herewith published for general information. Copies of the roll are available in the offices of

2. Any person who claims to be entered in this roll and who is not entered in it or is entered in an incorrect place or manner or with incorrect particulars may put in a claim to the Registration officer to have his name entered, or the registry corrected.

Provided that no claim shall be made by persons qualified for enrolment in the preliminary rolls only on prior application but who failed to present such application to the proper authority within the prescribed time.

3. Any person whose name is on this roll and who objects to the correctness of the entry or to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer an objection to the revising authority.

4. Claims shall be preferred in Form V and objections in Form VI appended to this notice. Copies of the forms will be supplied free by the Registration officer, Tahsildars or Deputy Tahsildars on application.

5. Claims and objections may be presented to the Registration officer or in rural areas to a Tahsildar or Deputy Tahsildar within the jurisdiction of the Registration officer, at any time during office hours or sent by post but must reach him on or before.

6. Claims and objections which are not preferred in proper form or are not received by the date prescribed will be rejected.

7. All claims and objections received in time and in proper form will be heard by the revising authority at (place) on (date)

Date *Registration Officer.*

FORM V.

MADRAS LEGISLATIVE ASSEMBLY.

Territorial Constituencies other than European and Anglo-Indian.

[See rule 12 (*a*).]

Notice of claim for $\frac{\text{correction of registry}}{\text{Registration}}$.

To

The Revising Authority of registration area.

Sir,

I hereby give you notice that I claim to have $\frac{\text{the registry of my name corrected}}{\text{my name entered}}$ in the roll of electors for the constituency of as follows:—

Name in full of claimant and father's or karnavan's or husband's name. (1)	Address (hamlet and main village or street and door number). (2)	Head of qualification. (3)

I declare that I am a British subject, that I attained the age of 21 years on and that I have resided for the qualifying period within the constituency.

Date. Signature of claimant.

FORM VI.

MADRAS LEGISLATIVE ASSEMBLY.

Territorial Constituencies other than European and Anglo-Indian.

[See rule 12 (*a*).]

Notice of Objection to registration.

To

The Revising Authority of registration area.

Sir,

I hereby give you notice that I object to the name of the person mentioned and described below being retained in the roll of electors for the polling area of in the registration area of for the constituency of

Name of person objected to. (1)	Number in the preliminary roll. (2)	Nature of objection. (3)

Date. Signature of objector.

Address.

Polling area and number in preliminary roll.

FORM VII.

MADRAS LEGISLATIVE ASSEMBLY.

Territorial Constituencies other than European and Anglo-Indian.

[See rule 14 (*a*).]

Lists of Objections and Claims.

(*a*) The following persons have put in claims to be registered as electors (or to have the registry of their names corrected) on the roll for the constituency of

Polling area. (1)	Name of claimant. (2)	Address. (3)	Head of qualification. (4)

(*b*) The following objections have been received regarding entries in the roll for the constituency of

Polling area. (1)	Name of objector and number on the roll. (2)	Name of person objected to and number on the roll. (3)

(*c*) The following corrections have been made by the registration officer of his own motion in the roll for the constituency of

Polling area. (1)	Number on the roll. (2)	Nature of corrections. (3)

(*d*) The following additions have been made by the registration officer of his own motion in the roll for the constituency of

Polling area. (1)	Name. (2)	Father's or karnavan's name. (3)	Address. (4)	Details of qualification. (5)

(*e*) The names of the following electors have been removed by the registration officer of his own motion from the roll for the constituency of—

Polling area. (1)	Number of elector on the roll. (2)	Name of elector. (3)	Reasons for removal from the roll. (4)

The above claims and objections will be heard and corrections, additions and removals made by the registration officer considered by the revising authority on (date) at (place)

Date

Registration Officer.

Section II.

Landholders', European and Anglo-Indian Constituencies.

1. The rules in this section shall apply to the preparation of electoral rolls for the Landholders (zamindars and janmis), the European and the Anglo-Indian constituencies.

2. There shall be a separate electoral roll for each constituency. The electoral roll shall be prepared and revised from time to time by reference to the date prescribed by the Governor in pursuance of paragraph four of Part I of the Government of India (Provincial Legislative Assemblies) Order, 1936, in the case of the Landholders' constituencies and of paragraph two of Part I of the sixth schedule to the Government of India Act, 1935, in the case of the European and Anglo-Indian constituencies. The electoral roll for each constituency shall contain the following particulars, viz., the elector's name, father's or karnavan's or husband's name and address. It shall be maintained in Form I and shall be divided into parts for each registration area comprised in the constituency and each part shall be divided into sections for each polling area within the registration area. Each polling area in a registration area shall be separately numbered and the names of the electors in each polling area shall be arranged alphabetically and numbered in one series.

3. If any question arises whether, for the purposes of these rules and the provisions of the Act connected therewith, any person is or is not a European or an Anglo-Indian a declaration in Form II or Form III signed by such person before a Magistrate not lower in rank than a Presidency Magistrate or a Magistrate of the second class, shall be conclusive proof that such person is a European or an Anglo-Indian, as the case may be.

4. The roll shall be kept in English.

5. Each district included in a constituency shall be a separate registration area and its Collector shall be the registration officer. Each registration area shall ordinarily be a polling area; but the Collector shall have power to divide a registration area into two or more polling areas:

Provided that any of the powers and duties of the registration officer may be exercised and performed by any deputy for the time being approved by the Governor and the provisions of these rules shall, in respect of the powers and duties to be exercised and performed by him, apply to such deputy so far as they apply to the registration officer.

6. (a) It shall be the duty of the registration officer to cause inquiry to be made and to prepare, or cause to be prepared, lists of all persons within his registration area appearing to be entitled to be registered as electors in the roll for the constituency. The lists shall be prepared in the form prescribed for the roll and shall, as regards landholders' constituencies, also contain particulars of

the amount of annual income, malikhana allowance or assessment as the case may be, and as regards the European and the Anglo-Indian constituencies, the nature of the qualification entitling each person to registration. The names of female electors shall be distinguished by means of the letter ' S ' and in respect of the European and Anglo-Indian constituencies the names of electors who are qualified by the literacy qualification alone shall be denoted by the letter ' L.'

(*b*) If any question arises whether a partner in a firm assessed to income-tax is or is not eligible to be registered as an elector [paragraph 13 (3) of Part I of the Sixth Schedule to the Act], the question shall be determined with reference to the production of a certificate in Form IV.

7. (*a*) Any person who claims to be included in the electoral roll of the European or Anglo-Indian constituencies by virtue of the undermentioned qualifications shall present an application in Form V to the registration officer concerned in person with the evidence necessary to prove the existence of the qualification relied on :—

(1) Occupation as sole tenant throughout the previous financial year of a house in respect of which property-tax or house-tax has been paid for both the half-years of that year. [Paragraph 2 (*c*) of Part II of the Sixth Schedule to the Act.]

(2) Being throughout the previous fasli year a kanamdar or kuzhikanamdar or the holder of a kudiyiruppu or a verumpattamdar having fixity of tenure. [Paragraph 3 (*c*) of Part II of the Sixth Schedule to the Act.]

(3) Being throughout the previous fasli year a mortgagee with possession or lessee under a registered instrument of immovable property in the Province (other than house property) of an annual rent value, in the case of an urban constituency, of not less than one hundred rupees and, in the case of a rural constituency, of not less than fifty rupees. [Paragraph 3 (*d*) of Part II of the Sixth Schedule to the Act.]

(4) Being the guardian of a minor who, by virtue of the provisions of paragraphs 1 to 4 of Part II of the Sixth Schedule to the Act, would have been entitled to be included in the electoral roll for that constituency if he were of full age. (Paragraph 5 of Part II of the Sixth Schedule to the Act.)

(5) Being a literate. (Paragraph 6 of Part II of the Sixth Schedule to the Act.)

(6) Being the wife of a retired, pensioned or discharged officer, non-commissioned officer, or soldier of His Majesty's regular Military forces,

(*b*) The registration officer shall receive applications made under sub-rule (*a*) up to the date mentioned in rule 2; he may also fix dates for the presentation of these applications at convenient centres in the registration area and notify this information by notices posted in public offices.

(*c*) A claimant under clause (5) of sub-rule (*a*) shall be required to write the application in Form V in his own handwriting either in the presence of the registration officer or under the certificate of a village officer or an officer in the superior service of any Government Department not lower in rank than a lower division clerk. This writing or certificate may be accepted as proof that the claimant is literate.

(*d*) Copies of Form V may be obtained free on application from the offices of the registration officers.

(*e*) The registration officer shall pass orders on all applications after such enquiry as may be necessary. He may reject summarily any application which does not comply with any of these rules.

8. (*a*) No person's name shall be entered in the electoral roll of more than one constituency or in more than one place in the electoral roll of the same constituency.

(*b*) If a person is qualified to have his name registered in the electoral roll of two or more constituencies or in two or more places in the roll of the same constituency, his name shall be entered in the roll of the constituency or, as the case may be, in the portion of the roll relating to the village or municipal ward in which he ordinarily resides or is believed ordinarily to reside:

Provided that a person whose name is so entered may prefer a claim under sub-rule (*a*) of rule 12 to have his name entered in the roll of any other constituency or, as the case may be, in the portion of the roll of the same constituency relating to another village or municipal ward where he possesses the necessary qualifications; and if the claim is allowed his name shall be entered in the roll or, as the case may be, in the portion of the roll desired and his name shall be removed from the roll or portion thereof where it was originally entered.

9. (*a*) The preliminary rolls shall be prepared from the lists compiled with reference to rule 6 and the applications received with reference to sub-rule (*a*) of rule 7 and published by posting them in the office of the registration officer not later than the date fixed by the Governor in this behalf. When the preliminary rolls contain no names, the registration officer shall publish a *nil* list.

(*b*) With the preliminary roll the registration officer shall publish notices in Form VI specifying the places where copies of the rolls are available, the time within which claims and objections are to be preferred and the date on which and the place at which the revising authority will begin to sit for their disposal.

10. (*a*) As soon as may be after such publication, copies of the rolls with the notices referred to in sub-rule (*b*) of rule 9 shall be issued as a supplement to the District Gazette.

(*b*) Copies of the parts of the preliminary roll relating to each registration area shall be made available for inspection and sale in the office of the registration officer and in the offices of Revenue Divisional Officers, Tahsildars and Deputy Tahsildars. Complete sets of the rolls of the several registration areas shall be kept in the office of the Returning Officer for inspection and sale.

11. The registration officer may—

(1) if the time prescribed by the Governor for the publication of the preliminary roll has not expired, within the time so prescribed; or

(2) if such time has already expired, within such further time as may be prescribed by the Governor, publish a revised preliminary roll in supersession of the roll already published or any part thereof or a list of additions and corrections thereto, in the manner prescribed by the foregoing rules.

Claims and Objections.

12. (*a*) Any person who claims to be entitled to be registered as an elector and who is not entered or is entered in an incorrect place or manner or with incorrect particulars, on the preliminary roll, and any person whose name is on the roll and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer a claim or an objection to the revising authority. Such claim or objection shall be sent in Form VII or VIII to the registration officer so as to reach him on or before the date fixed by the Governor in this behalf. The claim or objection shall contain full particulars of the qualifications on which the claim is based or the reasons for objection; and the claimant or the objector shall forward along with his claim or objection full evidence in support of the claim or objection or in case this is not possible, shall produce it before the revising authority. In rural areas, the claim or objection may be sent to a Tahsildar or Deputy Tahsildar within the jurisdiction of the registration officer before the prescribed date; and the Tahsildar or Deputy Tahsildar shall immediately on receipt of the claim or objection have the facts stated therein verified and forward the claim or objection to the registration officer with a certificate of verification.

(*b*) Claims and objections may be preferred in person or by agent or sent by post.

(*c*) Claims and objections received after the prescribed date shall be rejected.

(*d*) The revising authority shall not admit a claim based on the possession of any of the qualifications referred to in sub-rule (*a*) of rule 7 unless an application as required by that sub-rule has been presented to the registration officer on or before the date referred to in rule 2.

(e) Forms of claims and of notices of objections may be obtained free on application from the registration officer, Tahsildars and Deputy Tahsildars.

13. The registration officer may of his own motion remove from the rolls the names of persons whom he has reason to believe to be dead and may correct clerical or accidental mistakes. He may also of his own motion add names of qualified persons and remove names of disqualified persons.

14. The registration officer shall, not later than the date fixed by the Governor in this behalf,—

(a) publish lists of all claims and objections received in time and of corrections, additions and removals made by him of his own motion in Form IX in his office; and

(b) send a copy of every notice of objection to the person to whose registration objection has been taken and whenever possible give intimation to the person concerned of the correction, addition and removal made by him of his own motion.

In the lists referred to in clause (a) and in the copy and intimation sent under clause (b) the registration officer shall give notice that the claims, objections, corrections, additions and removals will be taken into consideration by the revising authority at a place and on a date to be specified therein.

Revising Authority.

15. For each registration area, the revising authority shall be the Collector of the district. He shall sit in open office on the day fixed and from day to day until all the claims and objections are disposed of. He shall make such enquiry as he thinks fit in regard to each claim or objection and pass orders in writing thereon with reasons if a claim is rejected or an objection contested. Final orders shall also be passed on the lists of corrections, additions and removals made by the registration officer of his own motion. The decisions of the revising authority shall be final.

16. On the consideration of any claim or objection or other matter by the revising authority any person claiming to be interested therein may appear and be heard either in person or by duly authorized agent.

Publication of Final Roll.

17. The registration officer shall correct the rolls in accordance with the orders of the revising authority.

18. Two copies of the final roll relating to his registration area shall be signed by each registration officer. One of them shall be kept in his office and the other forwarded to the returning officer.

19. The returning officer shall combine the rolls of the several registration areas and form a complete roll for the constituency. He shall then publish the complete roll as a supplement to the *Fort*

St. George Gazette, not later than the date fixed by the Governor in this behalf. The returning officer may at any time correct clerical mistakes or misprints in the final rolls and shall see that the corrections, if any, are carried out in all the copies of the roll.

General.

20. Copies of the complete roll (or of the preliminary roll with the lists of additions and corrections) shall be made available for inspection in the offices of the returning and registration officers. Complete sets of the roll (or of the preliminary rolls with the lists of additions and corrections) for the several registration areas shall be kept in the office of the returning officer for inspection and sale and for supply to the presiding officers at the polls.

21. Any notice which is required to be sent by the registration officer under these rules to any person shall be sufficiently sent, if sent by post, to the address of that person as given by him for the purpose, or as appearing on the roll, or if there is no such address, to his last known place of abode.

22. The Governor shall have power to postpone from time to time any of the dates fixed by him under this section.

Annual Revision of Electoral Rolls.

23. The Governor shall every year notify a date by which applications may be presented to the registration officer for the addition of new names to the roll or for the deletion or alteration of names included in it. The registration officer shall pass orders on all such applications, which orders shall be subject to revision by the revising authority as prescribed by rules 12 to 16 above.

FORM I.

MADRAS LEGISLATIVE ASSEMBLY.

Electoral roll for *Landholders'* / *European* / *Anglo-Indian* *Constituency.*

(See rule 2.)

Part — Registration area No.

Section — Polling area No.

1 Serial number
2 Name
3 Father's or karnavan's or husband's name.
4 Address (hamlet and main village in rural areas or street and door number in panchayat areas and municipalities).
5 Head of qualification.

FORM II.

MADRAS LEGISLATIVE ASSEMBLY.

European Constituency.

(See rule 3.)

Declaration by a European.

I (here enter name, profession and address) do hereby declare—

(a) that my father (or grandfather or other remoter male progenitor in the male line) $\frac{\text{is}}{\text{was}}$ of European descent; and

(b) that I am not a native of India within the meaning of that expression as defined in the First Schedule to the Government of India Act (25 and 26, Geo. V, Ch. 42) as I was not born within the dominions of His Majesty in India or Burma $\frac{\text{and}}{\text{or}}$ my parents were not * (habitually) resident in India or Burma * (but were established there for temporary purposes only).

In witness whereof I have hereunto set my hand this the day of One thousand nine hundred and

Signature.

Declaration made before and deposited with me in my office on this the day of One thousand nine hundred and

Station — *Signature of Magistrate.*

Date — *Designation*

* Does not apply to cases where the parents were not resident in India or Burma at all.

FORM III.

MADRAS LEGISLATIVE ASSEMBLY.

Anglo-Indian Constituency.

(See rule 3.)

Declaration by an Anglo-Indian.

I (here enter name, profession and address) do hereby declare—

(a) that my father (or grandfather or other remoter male progenitor in the male line) $\frac{\text{is}}{\text{was}}$ of European descent; and

(b) that I am a native of India within the meaning of that expression as defined in the First Schedule to the Government of India Act (25 and 26, Geo. V, Chapter 42) as I was born and am domiciled within the dominions of His Majesty in $\frac{\text{India}}{\text{Burma}}$ of parents habitually resident in $\frac{\text{India}}{\text{Burma}}$ and not established there for temporary purposes only.

In witness whereof I have hereunto set my hand this the day of One thousand nine hundred and

Signature.

Declaration made before and deposited with me in my office on this the day of One thousand nine hundred and

Station — *Signature of Magistrate.*

Date — *Designation.*

FORM IV.

MADRAS LEGISLATIVE ASSEMBLY.

European / Anglo-Indian *Constituency.*

[See rule 6 (*b*).]

This is to certify that is a partner in the firm of The firm was assessed to income-tax in and his share of the firm's income on which income-tax was assessed was not less than the minimum on which income-tax is leviable.

Station *Income-tax Officer.*
Date

FORM V.

MADRAS LEGISLATIVE ASSEMBLY.

Landholders' / European / Anglo-Indian *Constituency.*

[See rule 7.]

To

The Registration Officer,

Registration area.

Sir,

I hereby apply to be included in the electoral roll of the Constituency, registration area, polling area. I attach evidence of my qualification.

Signature.

Name in full of claimant. (1)	Father's or karnavan's or husband's name and in case of claimants by guardianship the name of the minor. (2)	Address (hamlet and main village or street and door number). (3)	Head of qualification. (4)	Nature of evidence produced in support of application. (5)

Certificate to be filled in where enrolment is applied for on literacy qualification alone.

I certify that the above applicant wrote the application in his own handwriting and in my presence.

Station Signature.
Date Designation of officer.

FORM VI.

MADRAS LEGISLATIVE ASSEMBLY.

Landholders'
European *Constituency.*
Anglo-Indian

[See rule 9 (*b*).]

Name of constituency—

1. The preliminary roll of electors for the registration area is herewith published for general information. Copies of the rolls are available in the offices of

2. Any person who claims to be entered in this roll and who is not entered in it or is entered in an incorrect place or manner or with incorrect particulars may put in a claim to the revising authority to have his name entered or the entry corrected.

Provided that in respect of the European or Anglo-Indian constituency no claim shall be made by persons who are qualified for enrolment in the preliminary rolls only on prior application but who failed to present such application to the proper authority within the prescribed time.

3. Any person whose name is on this roll, and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer an objection to the revising authority.

4. Claims shall be prepared in Form VII and objections in Form VIII appended to this notice. Copies of the forms will be supplied free by the Registration Officer, Tahsildars or Deputy Tahsildars on application.

5. Claims and objections may be presented to the Registration Officer or in rural areas to a Tahsildar or Deputy Tahsildar within the jurisdiction of the Registration Officer at any time during office hours or sent by post but must reach him on or before

6. Claims and objections which are not preferred in proper form or are not received by the date prescribed will be rejected.

7. All claims and objections received in time and in proper form will be heard by the revising authority at (place) on (date)

Date *Registration Officer.*

FORM VII.

MADRAS LEGISLATIVE ASSEMBLY.

Landholders'
European *Constituency.*
Anglo-Indian

[See rule 12 (*a*).]

Notice of claim for correction of registry / registration.

To

The Revising Authority of registration area.

Sir,

I hereby give you notice that I claim to have the registry of my name / my name corrected / entered in the roll of electors for the constituency of as follows:—

Name in full of claimant and father's or karnavan's or husband's name. (1)	Address (hamlet and main village, or street and door number). (2)	Head of qualification. (3)

I declare that I am British subject, that I attained the age of 21 years on and that I have resided for the qualifying period within the constituency.

Date. Signature of claimant

FORM VIII.

MADRAS LEGISLATIVE ASSEMBLY.

Landholders' / *European* / *Anglo-Indian* *Constituency.*

[See rule 12 (*a*).]

Notice of Objection to registration.

To

The Revising Authority of registration area.

Sir,

I hereby give you notice that I object to the name of the person mentioned and described below being retained in the electors' roll for the polling area of in the registration area of for the constituency of

Name of person objected to. (1)	Number in the preliminary roll. (2)	Nature of objection and evidence produced. (3)

Date Signature of objector.

Address. Polling area and number in preliminary roll.

FORM IX.

MADRAS LEGISLATIVE ASSEMBLY.

Landholders' / *European* / *Anglo-Indian* *Constituency.*

[See rule 14 (*a*).]

List of Claims and Objections.

(*a*) The following persons have put in claims to be registered as electors (or to have the registry of their names corrected) on the roll for the constituency of

Polling area. (1)	Name of claimant. (2)	Address. (3)	Head of qualification. (4)

(*b*) The following objections have been received regarding entries in the roll for the constituency of

Polling area. (1)	Name of objector and number on the roll. (2)	Name of person objected to and number on the roll. (3)

(*c*) The following corrections have been made by the Registration Officer of his own motion in the roll for the constituency of

Polling area. (1)	Number on the roll. (2)	Nature of corrections. (3)

(*d*) The following additions have been made by the Registration Officer of his own motion in the roll for the constituency of

Polling area. (1)	Name. (2)	Father's or Karnavan's name. (3)	Address. (4)	Details of qualification. (5)

(*e*) The names of the following electors have been removed by the Registration Officer of his own motion from the roll of the constituency of

Polling area. (1)	Number of elector on roll. (2)	Name of elector. (3)	Reasons for removal from the roll. (4)

The above claims and objections will be heard and corrections, additions and removals made by the Registration Officer considered by the revising authority on (date) at (place).

Date. *Registration Officer*

Section III.

University Constituency.

1. The rules in this section shall apply to the preparation of electoral rolls for the University constituency.

2. There shall be a separate electoral roll for each of the three universities, viz.—

(1) the University of Madras,
(2) the Andhra University, and
(3) the Annamalai University.

The electoral roll shall be prepared and revised from time to time by reference to the date prescribed by the Governor in pursuance of paragraph four of Part I of the Government of India (Provincial Legislative Assemblies) Order, 1936.

3. The Registrar of each of the universities shall be the registration officer for the university concerned :

Provided that any of the powers and duties of the registration officer may be exercised and performed by any deputy for the time being approved by the Syndicate of the University and the provisions of these rules shall, in respect of the powers and duties to be exercised and performed by him, apply to such deputy.

4. (*a*) The roll for each university shall be in Form I and shall be kept in English. The names of electors shall be arranged in alphabetical order and numbered in one series.

(*b*) No person's name shall be entered in the electoral roll of more than one University.

(*c*) If a person is qualified to have his name registered in the electoral roll of more than one University, his name shall be entered in the roll of that University in respect of which he first acquired the necessary qualification :

Provided that a person whose name is so entered may prefer a claim under sub-rule (*a*) of rule 8 to have his name entered in the electoral roll of any other University in respect of which he possesses the necessary qualification and if the claim is allowed his name shall be entered in the roll of the University desired and shall be removed from the roll of the University in which it was originally entered.

5. (*a*) It shall be the duty of the registration officer to prepare a preliminary roll in Form I of persons belonging to the university concerned who appear to be entitled to be registered as voters in the roll for the constituency and publish the preliminary roll in the manner prescribed in rule 6. The names of female electors shall be distinguished by means of the letter ' S.'

(*b*) With the preliminary roll the registration officer shall publish a notice in Form II specifying the time within which claims and objections are to be preferred and the date on which and the place at which the revising authority will begin to sit for their disposal.

6. The preliminary roll and the notice referred to in rule 5 (*b*) shall be printed and published as a supplement to the *Fort St. George Gazette* not later than the date fixed by the Governor in this behalf. Copies of the roll shall also be made available for inspection and sale in the office of the registration officer.

7. The registration officer may—

(1) if the time prescribed by the Governor for the publication of the preliminary roll has not expired, within the time so prescribed; or

(2) if such time has already expired, within such further time as may be prescribed by the Governor,

publish a revised preliminary roll in supersession of the roll already published or any part thereof or a list of additions and corrections thereto, in the manner prescribed by the foregoing rules.

Claims and Objections.

8. (*a*) Any person who claims to be entitled to be registered as an elector and whose name is not entered or is entered in an incorrect place or manner or with incorrect particulars on the preliminary roll, and any person whose name is on the roll and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer a claim or an objection to the revising authority.

(*b*) Claims and objections shall be presented to the Registrar in person or by agent or sent to him by post, but must reach him on or before the date fixed by the Governor in this behalf. Claims for registration shall be in Form III and objections in Form IV.

(*c*) Claims and objections received after the prescribed date shall be rejected.

(*d*) Forms of claims and of notices of objections may be obtained free on application from the registration officer.

9. The registration officer may of his own motion remove from the roll the names of persons whom he has reason to believe to be dead and also correct clerical or accidental mistakes. He shall also of his own motion add names of qualified persons and remove names of disqualified persons.

10. The registration officer shall, not later than the date fixed by the Governor in this behalf—

(*a*) post at the Senate House lists of all claims and objections received in time and of corrections, additions and removals made by him of his own motion in Form V; and

(*b*) send a copy of every notice of objection to the person to whose registration objection has been taken and whenever possible give intimation to the person concerned of the correction, addition and removal made by him of his own motion.

In the lists referred to in clause (*a*) and in the copy and intimation sent under clause (*b*) the registration officer shall specify the date on which and the place at which the claims, objections and corrections will be taken into consideration by the revising authority.

Revising Authority.

11. The revising authority in respect of each University shall consist of the Vice-Chancellor, or such other member of the Syndicate as he may nominate from time to time as Chairman and two other members of the Syndicate nominated by the Vice-Chancellor.

12. The revising authority shall sit in open office on the day fixed and from day to day until all the claims and objections are disposed of. If any member of the revising authority is unable to attend a sitting, the Vice-Chancellor shall immediately nominate another person for such sitting. They shall make such inquiry as they think fit in regard to each claim or objection and pass orders in writing thereon with reasons if a claim is rejected or an objection contested; they shall also pass final orders on the list of corrections, additions and removals made by the Registrar of his own motion. In case of a difference of opinion among the members, the opinion of the majority shall prevail. The decisions of the revising authority shall be final.

13. On the consideration of any objection or other matter by the revising authority any person appearing to be interested therein may appear and be heard either in person or by duly authorized agent.

Publication of Final Roll.

14. The registration officer shall correct the roll in accordance with the orders of the revising authority. Two copies of the final roll shall be signed by the registration officer. One of them shall be kept in his office and the other forwarded to the returning officer.

15. The returning officer shall combine the rolls of all the universities and form a complete roll for the constituency. He shall then publish the complete roll as a supplement to the *Fort St. George Gazette* not later than the date fixed by the Governor in this behalf.

The returning officer may at any time correct clerical mistakes or misprints in the final roll and shall see that the corrections, if any, are carried out in all the copies of the roll.

General.

16. Copies of the complete roll (or of the preliminary roll with the lists of additions and corrections) shall be made available for inspection in the offices of the returning and registration officers. Complete sets of the rolls (or of the preliminary rolls with the lists of additions and corrections) for all the universities shall be kept in the office of the returning officer for inspection and sale.

17. Any notice which is required to be sent by the registration officer under these rules to any person shall be sufficiently sent if sent by post to the address of that person as given by him for the purpose or as appearing on the roll, or if there is no such address, to his last known place of abode.

18. The Governor shall have power to postpone from time to time any of the dates fixed by him under this section.

Annual Revision of Electoral Rolls.

19. The Governor shall every year notify a date by which applications may be presented to the registration officer for the addition of new names to the roll or for the deletion or alteration of names included in it. The registration officer shall pass orders on all such applications, which orders shall be subject to revision by the revising authority as prescribed by rules 8 to 13 above.

FORM I.

MADRAS LEGISLATIVE ASSEMBLY.

[See rules 4 (*a*) and 5 (*a*).]

Electoral roll for the University Constituency.

Serial number.	Name.	Father's or karnavan's or husband's name.	Address.
(1)	(2)	(3)	(4)

FORM II.

MADRAS LEGISLATIVE ASSEMBLY.

University Constituency.

[See rule 5 (*b*).]

1. The preliminary roll of electors for the University constituency who belong to the University is herewith published for general information.

2. Any person who claims to be entered on the roll and who is not entered on it or is entered in an incorrect manner or place or with incorrect particulars may put in a claim to the revising authority to have his name entered or the entry corrected. Claims for registration shall be preferred in Form III.

3. Any person whose name is on this roll and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer an objection to the revising authority. Objections shall be preferred in Form IV.

4. Claims and objections may be presented to the registration officer at any time during office hours or sent by post but must reach him on or before the .

5. Claims and objections which are not preferred in proper form or are not received by the date prescribed will be rejected.

6. All claims and objections received in time and in proper form will be heard by the revising authority at the Senate House on

Date 19 . *Registration Officer.*

FORM III.

MADRAS LEGISLATIVE ASSEMBLY.

University Constituency.

[See rule 8 (*b*).]

Notice of claim for correction of registry. / registration

To

The Revising authority, University.

Sir,

I hereby give you notice that I claim to have the registry of my name corrected / my name entered in the roll of electors for the University Constituency as follows :—

Name in full of claimant and father's or karnavan's or husband's name. (1)	Address (hamlet and village or street and door number). (2)	Qualification —Senate Member or Registered Graduate. (3)

I declare that I am a British subject and have a place of residence in India.

Station.

Date. Signature.

FORM IV.

MADRAS LEGISLATIVE ASSEMBLY.

University Constituency.

[See rule 8 (*b*).]

Notice of Objection to registration.

To

The Revising authority, University.

Sir,

I hereby give you notice that I object to the name of the person mentioned and described below being retained in the electors' roll for the University constituency

Name of person objected to. (1)	Number in the preliminary roll. (2)	Nature and grounds of objection. (3)

Date

Address

Signature of objector and number in preliminary roll.

FORM V.

MADRAS LEGISLATIVE ASSEMBLY.

University Constituency.

[See rule 10 (*a*).]

List of Claims and Objections.

(*a*) The following persons have put in claims to be registered as electors (or to have the registry of their names corrected) on the roll of electors for the university constituency.

Name of claimant. (1)	Address. (2)	Qualification. (3)

(*b*) The following objections have been received regarding entries in the roll of electors for the university constituency.

Name of objector and number on the roll. (1)	Name of person objected to and number on the roll. (2)

(c) The following corrections have been made by the Registration Officer of his own motion in the roll of electors for the university constituency.

Number on the roll. (1)	Nature of correction. (2)

(*d*) The following additions have been made by the Registration Officer of his own motion in the roll of electors for the university constituency.

Name. (1)	Father's or karnavan's name. (2)	Address. (3)	Qualification. (4)

(c) The names of the following electors have been removed by the Registration Officer of his own motion from the roll of electors for the University constituency.

Number of elector on the roll. (1)	Name of elector. (2)	Reasons for removal from the roll. (3)

The above claims and objections will be heard and corrections, additions and removals made by the Registration Officer considered by the revising authority on (date) at (place)

Date *Registration Officer.*

Section IV.

Commerce, Industry and Planting Constituencies.

1. The rules in this section shall apply to the preparation of electoral rolls for the constituencies shown in column (1) of the Schedule attached and the registration officer for each of the constituencies shall be as entered in column (2) thereof :

Provided that any of the powers and duties of the registration officer may be exercised and performed by any deputy for the time being appointed by the registration officer and the provisions of these rules shall, in respect of the powers and duties to be exercised and performed by him, apply to such deputy so far as they apply to the registration officer.

2. The electoral roll shall be prepared and revised from time to time by reference to the date prescribed by the Governor in pursuance of paragraph four of Part I of the Government of India (Provincial Legislative Assemblies) Order, 1936. The electoral roll for each constituency shall be in Form I and shall be kept in English, except in the case of the Nattukkottai Nagarathars' Association, the roll for which shall be kept in Tamil.

3. (a) It shall be the duty of the registration officer to collect the necessary information and to prepare a roll of persons appearing to be entitled to be registered as electors for the constituency. Only corporations, companies and firms, and persons who, on the date fixed by the Governor, are entitled to exercise all the rights and privileges of members of the chambers or associations concerned.

(b) Before the preparation of an electoral roll for a commerce, industry or planting constituency is taken in hand, the registration officer shall call upon each of the constituent bodies referred to in sub-paragraph (2) of paragraph 11 of Part II of the Government of India (Provincial Legislative Assemblies) Order, 1936, to prepare and to submit to him within such time and in such form as may be specified by him in this behalf a list of the

qualified members of the body within the meaning of sub-paragraph (2) of paragraph 12 of Part II of the said Order together with, in the case where such member is a firm, corporation or Hindu joint family, the names of the nominees of such firm, corporation or Hindu joint family, nominated by it under paragraph 13 of Part II of the Order.

(*c*) Where a corporation, firm or Hindu joint family is included in the electoral roll in its capacity as a member of any chamber, the registration officer shall also enter in the roll the names of the individuals nominated by such corporation, firm or family to act as electors and exercise the vote on its behalf. It will be open to the corporation, firm or family at any time to move the registration officer to alter the names of the nominated individuals.

(*d*) When any question arises whether an individual, firm, concern or corporation was assessed to income-tax in any year on income derived from commerce or industry of not less than Rs. 10,000, a statement by the Income-tax Officer or his successor in office that such individual, firm, concern or corporation was or was not assessed on income derived from commerce or industry of not less than Rs. 10,000 shall be conclusive evidence of the fact.

4. (*a*) No person's name shall be entered in the electoral roll of more than one constituency for the election of a representative of commerce.

(*b*) If a person is qualified to have his name registered in the electoral roll of more than one constituency his name shall be entered in the roll of one of the constituencies determined by the registration officers concerned in consultation with each other:

Provided that a person whose name is so entered may prefer a claim under rule 7 to have his name entered on the roll of any other constituency for which he possesses the necessary qualification; and if the claim is allowed his name shall be entered in the roll of the constituency desired and shall be removed from the roll of the constituency in which it was originally entered.

5. Copies of the roll prepared with reference to rule 3 shall be posted in the office of the chamber or association concerned not later than the date fixed by the Governor in this behalf—and copies shall be sent forthwith to be posted in the offices of the affiliated associations also in the cases of the United Planters' Association of Southern India, the Madras Chamber of Commerce and the Southern India Chamber of Commerce—together with a notice in Form II specifying the date on or before which claims and objections should reach the registration officer, and the date on which and place at which the revising authority will begin to sit for their disposal.

6. The registration officer may—

(1) if the time prescribed by the Governor for the publication of the preliminary roll has not expired, within the time so prescribed; or

(2) if such time has already expired, within such further time as may be prescribed by the Governor,

publish a revised preliminary roll in supersession of the roll already published or any part thereof or a list of additions and corrections thereto in the manner prescribed by the foregoing rules.

Claims and Objections.

7. Claims and objections may be preferred in person or by agent or sent by post in Forms III and IV. Claims and objections received after the prescribed date shall be rejected. Forms of claims and of notices of objections may be obtained free on application from the registration officer.

8. The registration officer may of his own motion remove from the lists the names of persons whom he has reason to believe to be dead, and may also correct clerical or accidental mistakes. He shall also of his own motion add names of qualified persons and remove names of disqualified persons.

9. The registration officer shall, not later than the date fixed by the Governor in this behalf—

(*a*) publish lists of all claims and objections received in time and of corrections, additions and removals made of his own motion in Form V in the manner prescribed in rule 5 : and

(*b*) send a copy of every notice of objection to the person to whose registration objection has been taken and give intimation whenever possible to the person concerned of the correction, addition and removal made by him of his own motion.

In the lists referred to in clause (*a*) and in the copy and intimation sent under clause (*b*), the registration officer shall give notice that the claims, objections, corrections, additions and removals will be taken into consideration by the revising authority at a place and on a date to be specified therein.

Revising Authority.

10. For each constituency, the revising authority shall be the registration officer as chairman and two members of the committee of the association or chamber concerned, nominated for the purpose by the registration officer.

11. The revising authority shall make such inquiry as they think fit in regard to each claim or objection and pass orders in writing thereon with reasons if a claim is rejected or an objection contested. The revising authority shall also pass orders on the list of corrections, additions and removals made by the registration officer of his own motion. If any member is unable to attend a sitting the registration officer shall nominate another member of the committee of the association or chamber concerned for such sitting. In case of a

difference of opinion among the members the opinion of the majority shall prevail. The decisions of the revising authority shall be final.

12. On the consideration of any claim or objection or other matter by the revising authority any person appearing to be interested therein may appear and be heard either in person or by duly authorized agent.

13. The registration officer shall correct the roll in accordance with the orders of the revising authority and a copy of the roll so corrected shall be signed by the registration officer.

Publication of the Final Roll.

14. The registration officer shall publish the final roll not later than the date fixed by the Governor in this behalf in the manner described in rule 5 above and shall keep printed copies thereof available for inspection and sale in his office. If it is more convenient, the preliminary roll, together with a list of additions and corrections, may be published as the final roll.

15. The returning officer may at any time correct clerical mistakes or misprints in the final roll and shall see that the corrections, if any, are carried out in all the copies of the roll.

16. The Governor shall have power, in his discretion to postpone from time to time any of the dates fixed by him under this section.

Annual Revision of Electoral Rolls.

17. The Governor shall every year notify a date by which applications may be presented to the registration officer for the addition of new names to the roll or for the deletion or alteration of names included in it. The registration officer shall pass orders on all such applications, which orders shall be subject to revision by the revising authority as prescribed by rules 7 to 13 above.

SCHEDULE.

(See rule 1.)

Name of constituency. (1)	Registration Officer. (2)
European Commerce (The Madras Chamber of Commerce and the Madras Trades Association)	Collector of Madras.
Madras Planters (The United Planters' Association of Southern India and Association affiliated to it) ...	Collector of the Nilgiris.
The Southern India Chamber of Commerce	Collector of Madras.
The Nattukottai Nagarathars' Association	Collector of Madras.

FORM I.

MADRAS LEGISLATIVE ASSEMBLY.

Commerce Constituencies.

(See rule 2.)

Electoral roll for constituency.

Serial number. (1)	Name of individual or firm. (2)	Father's name in the case of individuals. (3)	In the case of firm, etc., name of person authorized to act as elector. (4)	Address in full. (5)

NOTE.—Column (3) need not be filled in in the case of the Nattukottai Nagarathars' Association.

FORM II.

MADRAS LEGISLATIVE ASSEMBLY.

Commerce Constituencies.

(See rule 5.)

The preliminary electoral of voters for the constituency is herewith published for general information.

1. Any firm or person who claims to be entered on the roll who is not entered on it or is entered in an incorrect manner or place or with incorrect particulars may put in a claim to the revising authority to have its or his name entered or the entry corrected. Claims for registration shall be preferred in Form III.

2. Any firm or person whose name is on this roll and who objects to the inclusion of its or his own name or of the name of any other firm or person whose name is on the roll may prefer an objection in Form IV to the revising authority.

3. Claims and objections may be presented to the registration officer at any time during office hours or sent by post but must reach him on or before the

4. Claims and objections which are not preferred in proper form or are not received by the date prescribed will be rejected.

5. All claims and objections received in time and in proper form will be heard by the revising authority at on

Dated 19 . *Registration Officer.*

FORM III.

MADRAS LEGISLATIVE ASSEMBLY.

Commerce Constituencies.

(See rule 7.)

Notice of claim for correction of registry / registration.

To

The Revising Authority of registration area.

Sir,

I hereby give you notice that I claim to have the registry of my name / my name corrected / entered in the roll of electors for the constituency of as follows:—

Name in full of claimant and father's or karnavan's or husband's name in the case of individuals or name of firm. (1)	Address (hamlet and main village, or street and door number). (2)

I declare that I am a British subject and have a place of business in this Province.

Date 19 . Signature of claimant.

NOTE.—The declaration to be signed in the case of individual who claims registration.

FORM IV.

MADRAS LEGISLATIVE ASSEMBLY.

Commerce Constituencies.

(See rule 7.)

Notice of Objection to Registration.

To

The Revising Authority of registration area.

Sir,

I hereby give you notice that I object to the name of the person mentioned and described below being retained in the electors' roll for the constituency of

Name of firm or person objected to. (1)	Name in the preliminary roll. (2)	Nature and grounds of objection. (3)

Date 19 . Signature of Objector.

Address

Number in preliminary roll

FORM V.

MADRAS LEGISLATIVE ASSEMBLY.

Commerce Constituencies.

[See rule 9 (*a*).]

List of Claims and Objections.

(*a*) The following persons have put in claims to be registered as electors (or to have the registry of their names corrected) on the roll for the constituency of

Name of claimant. (1)	Address. (2)	Qualification. (3)

(*b*) The following objections have been received regarding entries in the roll for the constituency of

Name of objector and number on the roll. (1)	Name of person objected to and number on the roll. (2)

(*c*) The following corrections have been made by the registration officer of his own motion in the roll for the constituency of

Number on the roll. (1)	Nature of corrections. (2)

(*d*) The following additions have been made by the Registration Officer of his own motion in the roll for the constituency of

Name. (1)	Father's or karnavan's name. (2)	Address. (3)	Qualification. (4)

(c) The names of the following electors have been removed by the Registration officer of his own motion from the roll for the constituency of

Number of elector on the roll. (1)	Name of elector. (3)	Reasons for removal from the roll. (3)

The above claims and objections will be heard and corrections, additions and removals made by the Registration Officer considered by the revising authority on (date) at (place)

Date *Registration Officer.*

Section V.

Labour Constituencies.

1. The rules in this section shall apply to the preparation of electoral rolls for the constituencies formed for the election of representatives of Labour.

A. Non-Union Constituencies.

2. There shall be a separate electoral roll for each constituency. The electoral roll shall be prepared and revised from time to time by reference to the date prescribed by the Governor in pursuance of paragraph four of Part I of the Government of India (Provincial Legislative Assemblies) Order, 1936. The roll shall contain the following particulars, viz., the elector's name, father's or karnavan's or husband's name, industry in which employed, actual occupation, name of establishment employed in and wages received. It shall be maintained in Form I and shall be divided into sections for each polling area. Each polling area shall be separately numbered and the names of the electors in each polling area shall be arranged alphabetically and numbered in one series. The names of female voters shall be distinguished by means of the letter ' S ' or its vernacular equivalent.

3. (a) The area comprised within each factory inspector's jurisdiction (or charge) shall be a registration area and the factory inspector shall be the registration officer of such area. The Commissioner of Labour shall be the authority competent to divide the constituencies into suitable polling areas.

(b) The term " textile mills " occurring in the second table in Part X of the Second Schedule to the Government of India (Provincial Legislative Assemblies) Order, 1936, shall be deemed

to refer to factories in which the processes of spinning, weaving or knitting cotton, wool, silk, including silk substitutes or jute are carried on.

4. It shall be the duty of the registration officer to obtain from all employers of labour in a labour constituency lists based on their muster rolls of all persons within the registration area who appear to be entitled to be registered as electors in that constituency. The rolls shall be prepared from these statements in Form I and published in the office of the registration officer not later than the date fixed by the Governor in this behalf. They shall also be published—

(*a*) in the taluk office of each taluk in which any portion of the constituency is situated,

(*b*) in the office of each municipal council or panchayat board in which any portion of the constituency is situated, and

(*c*) in the village chavadi of each village in which any portion of the constituency is situated.

5. (*a*) The roll shall be kept in the vernacular of the polling area.

(*b*) No person's name shall be entered in the roll of more than one labour constituency or in more than one place in the electoral roll of the same constituency. If a person is qualified to have his name registered in the electoral roll of more than one constituency or in more than one place in the roll of the same constituency, his name shall be entered in the roll of the constituency or of the section thereof determined by the registration officers concerned in consultation with each other or as the case may be, by the registration officer concerned :

Provided that a person whose name is so entered may claim under sub-rule (*a*) of rule 9 to have his name registered in another constituency or, as the case may be, in another section of the roll of the same constituency, for which he possesses the necessary qualifications. If the claim is allowed, his name shall be entered in the roll or section desired and shall be removed from the roll or section where it was originally entered.

(*c*) A person who is otherwise qualified to be included in the electoral roll but has not worked for the whole of the prescribed period in a single establishment and who desires to be included, must apply to the registration officer to be enrolled. Such *application* shall be supported (as far as possible) by the evidence prescribed in rule 9 infra.

6. With the preliminary roll the registration officer shall publish notices in Form II specifying the time within which claims and objections are to be preferred and the date on which and the place at which the revising authority shall begin to sit for their disposal.

7. (*a*) As soon as may be after such publication, copies of the rolls with the notices referred to in rule 6 shall be issued as a supplement to the district gazette.

(*b*) Copies of the parts of the preliminary roll relating to each registration area shall be made available for inspection and sale in the case of municipal areas in the municipal offices and in the case of other areas in the offices of the Revenue Divisional Officers, the Tahsildars and Deputy Tahsildars concerned. A copy of the roll relating to each polling area with a notice in Form II shall be posted in each of the public offices situate in the polling area and in rural areas a copy of the roll relating to each village, with the notice, shall also be posted in the village chavadi; where there are no public offices or village chavadis the publication of the roll shall be made at such other places as the registration officer may decide.

(*c*) The fact of publication of the preliminary roll shall be published in each ward of the municipality concerned and in the case of rural areas in each village in which any portion of the constituency is situated, by beat of tom-tom.

8. The registration officer may—

(1) if the time prescribed by the Governor for the publication of the preliminary roll has not expired, within the time so fixed; or

(2) if such time has already expired, within such further time as may be prescribed by the Governor, publish a revised preliminary roll in supersession of the roll already published or any part thereof or a list of additions and corrections thereto, in the manner prescribed by the foregoing rules.

Claims and Objections.

9. (*a*) Any person who claims to be entitled to be registered as an elector and who is not entered or is entered in an incorrect place or manner or with incorrect particulars on the preliminary roll and any person whose name is on the roll and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer a claim or an objection to the revising authority. Such claim or objection shall be sent in Form III or IV as the case may be to the registration officer so as to reach him on or before the date fixed by the Governor in this behalf. The claim or objection shall contain full particulars of the qualifications on which the claim is based or the reasons for objection; and the claimant or the objector shall forward along with his claim or objection full evidence in support of the claim or objection or in case this is not possible, shall produce it before the revising authority. The evidence to be produced by a person who claims inclusion in the roll shall include, as far as possible,

(i) his work card, service book or other authoritative evidence as to the nature of his employment, and

(ii) a certificate from his employer or employers as to the date from and up to which he has worked and the rate of wages or salary paid.

In rural areas, the claim or objection may be sent to a Tahsildar or a Deputy Tahsildar within the jurisdiction of the registration officer, before the prescribed date and the Tahsildar or Deputy Tahsildar shall immediately on receipt of the claim or objection have the facts stated therein verified and forward the claim or objection to the registration officer with a certificate of verification.

(*b*) Claims and objections may be preferred in person or by agent or sent by post.

(*c*) Claims and objections received after the prescribed date shall be rejected.

(*d*) Forms of claims and of notices of objections may be obtained free on application from the registration officer.

10. The registration officer may of his own motion remove from the rolls the names of persons whom he has reason to believe to be dead and correct clerical or accidental mistakes. He may also of his own motion add names of qualified persons and remove names of disqualified persons.

11. The registration officer shall, not later than the date fixed by the Governor in this behalf—

(*a*) post in his own office, in the offices of Tahsildars, Deputy Tahsildars and municipal councils within whose jurisdiction any portion of the constituency is situated and in such other places as the registration officer may decide lists of claims and objections received in time and of corrections, additions and removals made by him of his own motion in Form V; and

(*b*) send a copy of every notice of objection to the person to whose registration objection has been taken and whenever possible give intimation to the person concerned of the correction, addition and removal made by him of his own motion.

In the lists referred to in clause (*a*) and in the copy and intimation sent under clause (*b*), the registration officer shall give notice that the claims, objections, corrections, additions and removals will be taken into consideration by the revising authority at a place and on a date to be specified therein.

Revising Authority.

12. For each registration area there shall be constituted a revising authority who shall be the factory inspector as chairman and two non-official representatives of the chief industries of the area to be nominated by the Commissioner of Labour.

13. The revising authority shall sit in open office on the days and at the places notified and shall sit from day to day until all the claims and objections are disposed of. They shall make such enquiry

as they think fit in regard to each claim or objection and pass orders in writing thereon with reasons if a claim is rejected or an objection contested; they shall also pass final orders on the lists of corrections, additions and removals made by the registration officer of his own motion. If any member of the revising authority is unable to attend a sitting, the Commissioner of Labour, shall immediately nominate another person for such sitting. In case of a difference of opinion among the members, the opinion of the majority shall prevail. The decisions of the revising authority shall be final.

14. On the consideration of any claim or objection or other matter by the revising authority any person appearing to be interested therein may appear and be heard either in person or by duly authorized agent.

Publication of Final Roll.

15. The registration officer shall correct the rolls in accordance with the orders of the revising authority and the final rolls shall be published by posting them in the office of the registration officer not later than the date fixed by the Governor in this behalf. If it is more convenient, the preliminary rolls together with the lists of additions and corrections may be published as the final rolls. As soon as may be after such publication the lists of additions and corrections or, if it is more convenient, the entire roll as revised shall also be issued as a supplement to the District Gazette and copies of the parts of the lists or of the roll relating to each registration area shall also be made available for inspection, and posted in villages, in the manner prescribed in rule 4.

16. Two copies of the roll or part of the roll relating to his registration area shall be signed by each registration officer. One of them shall be kept in his office and the other forwarded to the returning officer for the constituency.

17. The returning officer shall combine the separate parts of each roll and form a complete roll for each constituency. He may at any time correct clerical mistakes or misprints in the final rolls and shall see that the corrections, if any, are carried out in all the copies of the roll.

General.

18. Copies of the final roll (or of the preliminary roll with the list of additions and corrections) relating to each registration area shall be made available for inspection and sale in the office of the registration officer. Complete sets of the final roll (or of the preliminary roll with the lists of additions and corrections) for the several registration areas shall be kept in the office of the returning officer for inspection and sale and for supply to the presiding officers at the polls.

19. Any notice which is required to be sent by the registration officer under these rules to any person shall be sufficiently sent, if sent by post to the address of that person as given by him for the purpose, or as appearing on the roll, or if there is no such address, to his last known place of abode.

20. The Governor shall have power to postpone from time to time any of the dates fixed by him under this section.

21. *Annual revision of electoral rolls.*—The Governor shall every year notify a date by which applications may be presented to the registration officer for the addition of new names to the roll or for the deletion or alteration of names included in it. The registration officer shall pass orders on all such applications, which orders shall be subject to revision by the revising authority as prescribed by rules 9 to 14 above.

B. Trade Union Constituencies.

22. The rules relating to the rolls for non-Union constituencies shall apply to the rolls for Trade Union constituencies subject to the following modifications :—

(1) The Registrar of Trade Unions shall be the registration officer and the electoral roll shall be prepared by him with reference to the lists of members eligible for registration furnished by constituent Trade Unions.

(2) The roll for the South Indian Railway Unions shall be kept in English and Tamil and that for the Madras and Southern Mahratta Railway Unions in English, Tamil and Telugu.

(3) The rolls (preliminary and final) relating to each Trade Union constituency shall be published at the head office and branch offices, if any, of each constituent Trade Union, at the office of the Registrar of Trade Unions and at the offices of the Revenue Divisional Officers, Tahsildars and Deputy Tahsildars of the district in which members of the constituent unions reside. The rolls shall be issued as a supplement to the *Fort St. George Gazette.*

(4) For each Trade Union constituency the Revising authority shall be composed of the Registrar of Trade Unions who shall be the Chairman and two other officials nominated by the Registrar from among the officials of the constituent Trade Unions. The Revising authority shall sit on the date or dates notified at the head office of each constituent Trade Union for the disposal of claims and objections.

(5) Claims and objections shall be sent to the Revising authority by post before a date prescribed by the registration officer; or they may be presented in person at the head office of the constituent union concerned on the date on which the Revising authority sit there for their disposal. The evidence to be produced by a person who claims inclusion in the roll shall include, as far as possible,

(i) his work-card, service book or other authoritative evidence of the nature of his employment and the rate of his wages or salary;
(ii) his Union membership card or certificate of enrolment;
(iii) proof of payment of current membership subscription; and
(iv) if the claim is in regard to the Railway Trade Union Constituency, also proof of employment within the Province.

C. All Labour Constituencies.

(Non-Union and Union.)

23. The following persons shall be deemed to be employed in a clerical, supervisory, recruiting or administrative capacity within the meaning of sub-paragraph (2) of paragraph 25 of Part II of the Government of India (Provincial Legislative Assemblies) Order, 1936:—

(i) Clerks, accountants and time-keepers.
(ii) Managers, Assistant Managers and Agents.
(iii) Departmental heads and assistants.
(iv) Engineers, Assistant Engineers and Head Electricians who supervise the work of others and do not themselves engage in manual labour.
(v) Foremen, overseers and chargemen who do not themselves engage in manual labour.
(vi) Weaving masters, spinning masters and Head Jobbers in Textile Mills.
(vii) Supervising and Executive Officers on Railways (such as transportation, traffic, power or locomotive officers, Superintendents and their Assistants).
(viii) Station-masters and Assistant Station-masters on Railways.

24. Managers of qualifying industrial establishments, Agents of Railways and Managers of Textile Mills in the City of Madras, on application from a person desiring to make a claim under rule 9 or rule 22 (5), shall grant him within seven days of receipt of application a certificate showing the nature of his employment under them, the rate of wages or salary received and the dates within which he was employed.

FORM I.

MADRAS LEGISLATIVE ASSEMBLY.

Electoral Roll for Labour Constituency.

(See rules 2 and 4.)

Part.
Section

Registration area No.
Polling area No.

1 Serial number.
2 Name.
3 Father's or karnavan's or husband's name.
4 Address (hamlet and main village in rural areas or street and door number in panchayat areas and municipalities).
5 Occupation.
6 Name of establishment employed in.
7 Wages received.

FORM II.

MADRAS LEGISLATIVE ASSEMBLY.

Labour Constituency.

[See rules 6 & 7 (*b*).]

Name of constituency—

1. The preliminary electoral roll of electors for the registration area is herewith published for general information. Copies of the rolls are available in the offices of

2. Any person who claims to be entered in this roll and who is not entered in it or is entered in an incorrect place or manner or with incorrect particulars may put in a claim to the revising authority to have his name entered or the entry corrected.

3. Any person whose name is on this roll and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer an objection to the revising authority.

4. Claims shall be prepared in Form III and objections in Form IV appended to this notice. Copies of these forms will be supplied free by the registration officer, Tahsildars or Deputy Tahsildars on application.

5. Claims and objections may be presented to the registration officer or in rural areas to a Tahsildar or Deputy Tahsildar within the jurisdiction of the registration officer at any time during office hours or sent by post but must reach him on or before .

6. Claims and objections which are not received before the time prescribed will be rejected.

7. All claims and objections received in time will be heard by the revising authority at (place) on (date) .

Date *Registration Officer.*

FORM III.

MADRAS LEGISLATIVE ASSEMBLY.

Labour Constituency.

[See rule 9 (*a*).]

Notice of claim for correction of registry / registration

To

The Revising Authority of registration area.

Sir,

I hereby give you notice that I claim to have *the registry of my name corrected / my name entered* in the roll of electors for the constituency of as follows:—

Name in full of claimant and father's or karnavan's or husband's name. (1)	Address (hamlet and village, or street and door number). (2)	Qualification, occupation establishment in which employed, period employed and wages received. (3)

I declare that I am a British subject, that I attained the age of 21 years on and that I have resided for the qualifying period within the constituency.

Date Signature of claimant.

FORM IV.

MADRAS LEGISLATIVE ASSEMBLY.

Labour Constituency.

[See rule 9 (*a*).]

Notice of Objection to Registration.

To

The Revising Authority of registration area.

Sir,

I hereby give you notice that I object to the name of the person mentioned and described below being retained in the electors' roll for the polling area of in the registration area of for the constituency of

Name of person objected to. (1)	Number in the preliminary roll. (2)	Nature of objection. (3)

Date

Signature of objector.

Address

Polling area and number in preliminary roll.

FORM V.

MADRAS LEGISLATIVE ASSEMBLY.

[See rule 11 (*a*).]

List of Claims and Objections.

(*a*) The following persons have put in claims to be registered as electors (or to have the registry of their names corrected) on the roll for the constituency of

Polling area. (1)	Name of claimant. (2)	Address. (3)	Head of qualification. (4)

(*b*) The following objections have been received regarding entries in the roll for the constituency of

Polling area. (1)	Name of objector and number on the roll. (2)	Name of person objected to and number on the roll. (3)

(*c*) The following corrections have been made by the registration officer of his own motion in the roll for the constituency of

Polling area. (1)	Number on the roll. (2)	Nature of corrections. (3)

(*d*) The following additions have been made by the registration officer of his own motion in the roll for the constituency of

Polling area. (1)	Name. (2)	Father's or karnavan's name. (3)	Address. (4)	Details of qualification. (5)

(*e*) The names of the following electors have been removed by the registration officer of his own motion from the roll of the constituency of

Polling area. (1)	Number of elector on the roll. (2)	Name of elector. (3)	Reasons for removal from the roll. (4)

The above claims and objections will be heard and corrections, additions and removals made by the registration officer considered by the Revising Authority on (date) (at place)

Registration Officer.

Section VI.

Backward Areas and Tribes Constituency.

1. The preliminary electoral roll for the Backward Areas and Tribes Constituency shall be compiled in Form I by extracting from the electoral rolls of the general territorial constituencies relating to the following areas the names of members of the tribes specified in the appendix :—

(*a*) The taluks of Golugonda, Gudem and Srunguvarupukota of the Vizagapatam district, and

(*b*) the Yellavaram taluk of the East Godavari district.

2. Each of the taluks mentioned above shall be a separate registration area and the Revenue Divisional Officer or the Assistant Agent concerned shall be the registration officer.

Provided that any of the powers and duties of the registration officer may be exercised and performed by any deputy for the time being approved by the Governor and the provisions of these rules shall, in respect of the powers and duties to be exercised and performed by him, apply to such deputy so far as they apply to the registration officer.

3. Each registration area shall be divided into one or more convenient polling areas. Subject to any general or special instructions which the Governor may issue, the polling areas shall be determined by the Revenue Divisional Officer or Assistant Agent :

Provided that the polling area shall be so arranged as to give all electors such reasonable facilities for voting as are practicable in the circumstances.

4. (*a*) The preliminary rolls shall be published by posting them in the office of the registration officer not later than the date fixed by the Governor in this behalf. Where the preliminary rolls contain no names, the registration officer shall publish a *nil* list.

(*b*) With the preliminary roll the registration officer shall publish notices in Form II specifying the places where copies of the rolls are available, the mode in which and the time within which claims and objections are to be preferred and the date on which and the place at which the revising authority will begin to sit for their disposal. The date fixed for the sitting of the revising authority shall not be later than the date fixed by the Governor in this behalf.

5. (*a*) As soon as may be after such publication, copies of the rolls with the notices referred to in sub-rule (*b*) of rule 4 shall be issued as a supplement to the District Gazette.

(*b*) Copies of the parts of the preliminary roll relating to each registration area shall be made available for inspection and sale in the offices of the Revenue Divisional Officers or Assistant Agents, the Tahsildars and Deputy Tahsildars concerned. A copy of the roll relating to each polling area with a notice in Form II shall be

posted in each of the public offices situate in the polling area and in rural areas a copy of the roll relating to each village with the notice shall also be posted in the village chavadi; where there are no public offices or village chavadis the publication of the roll shall be made at such other places as the registration officer may decide.

(c) The fact of publication of the preliminary roll shall be published in each village by beat of tom-tom.

6. The registration officer may—

(1) if the time prescribed by the Governor for the publication of the preliminary roll has not expired, within the time so fixed; or

(2) if such time has already expired, within such further time as may be prescribed by the Governor,

publish a revised preliminary roll in supersession of the roll already published or any part thereof or a list of additions and corrections thereto, in the manner prescribed by the foregoing rules.

Claims and Objections.

7. The registration officer may of his own motion or on receipt of a claim or objection which may be presented orally or in writing, remove from the rolls the names of persons whom he has reason to believe to be dead and correct clerical or accidental mistakes. He may also of his own motion add names of qualified persons and remove names of disqualified persons.

8. The registration officer shall, not later than the date fixed by the Governor in this behalf, post in his own office, in the offices of Tahsildars and Deputy Tahsildars, and in other places as the registration officer may decide such lists of claims and objections received in time and of corrections, additions and removals made by him of his own motion in Form III and notify the place and date when they will be taken into consideration by the revising authority.

Revising Authority.

9. For each registration area, there shall be constituted a revising authority consisting of the registration officer as chairman and two non-official gentlemen to be nominated by the Collector of the district.

10. The revising authority shall sit in open office on the day fixed and from day to day until all the claims and objections are disposed of. They shall make such inquiry as they think fit in regard to each claim or objection and pass orders in writing thereon with reasons if a claim is rejected or an objection contested; they shall also pass final orders on the lists of corrections, additions and

removals made by the registration officer of his own motion. If any member of the revising authority is unable to attend a sitting, the Collector shall immediately nominate another person for such sitting. In case of a difference of opinion among the members, the opinion of the majority shall prevail. The decisions of the revising authority shall be final.

11. On the consideration of any claim or objection or other matter by the revising authority any person appearing to be interested therein may appear and be heard either in person or by duly authorized agent.

Publication of Final Roll.

12. The registration officer shall correct the rolls in accordance with the orders of the revising authority and the final rolls shall be published by posting them in the office of the registration officer not later than the date fixed by the Governor in this behalf. If it is more convenient, the preliminary rolls together with the lists of additions and corrections may be published as the final rolls. As soon as may be after such publication, the lists of additions and corrections or, if it is more convenient, the entire roll as revised shall also be issued as a supplement to the District Gazette and copies of the parts of the lists or of the roll relating to each registration area shall also be made available for inspection, and posted in villages, in the manner prescribed in rule 4.

13. Two copies of the roll or part of the roll relating to his registration area shall be signed by each registration officer. One of them shall be kept in his office and the other forwarded to the returning officer for the constituency.

14. The returning officer shall combine the separate parts of each roll and form a complete roll for the constituency. The returning officer may at any time correct clerical mistakes or misprints in the final roll. He shall also see that the corrections, if any, are carried out in all the copies of the roll.

General.

15. Copies of the final roll (or of the preliminary roll with the list of additions and corrections) relating to each registration area shall be made available for inspection and sale in the office of the registration officer. Complete sets of the final roll (or of the preliminary roll with the lists of additions and corrections) for the several registration areas shall be kept in the office of the returning officer for inspection and sale and for supply to the presiding officers at the polls.

16. Any notice which is required to be sent by the registration officer under these rules to any person shall be sufficiently sent, if sent by post to the address of that person as given by him for the purpose, or as appearing on the roll, or if there is no such address, to his last known place of abode.

17. The Governor shall have power to postpone from time to time any of the dates fixed by him under this section.

Annual Revision of Electoral Rolls.

18. The Governor shall every year notify a date by which applications may be presented to the registration officer for the addition of new names to the roll or for the deletion or alteration of names included in it. The registration officer shall pass orders on all such applications, which orders shall be subject to revision by the revising authority as prescribed by rules 7 to 11 above.

FORM I.

MADRAS LEGISLATIVE ASSEMBLY.

(See rule 1.)

Electoral Roll for Backward Areas and Tribes Constituency.

Number.

Part Registration No.

Section Polling area

1 Serial number.
2 Name.
3 Father's or husband's name.
4 Address (hamlet and main village).
5 Head of qualification.

FORM II.

MADRAS LEGISLATIVE ASSEMBLY.

Backward Areas and Tribes Constituency.

[See rules 4 (*b*) and 5 (*b*).]

Name of constituency—

1. The preliminary electoral roll of electors for the ... registration area is herewith published for general information. Copies of the rolls are available in the offices of

2. Any person who claims to be entered in this roll and who is not entered in it or is entered in an incorrect place or manner or with incorrect particulars may put in a claim to the revising authority to have his name entered or the entry corrected.

3. Any person whose name is on this roll and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer an objection to the revising authority.

4. Claims and objections may be presented to the registration officer or in rural areas to a Tahsildar or Deputy Tahsildar within the jurisdiction of the registration officer at any time during office hours or sent by post but must reach him on or before .

5 Claims and objections which are not received before the time prescribed will be rejected.

6. All claims and objections received in time will be heard by the revising authority at (place) on (date) .

Date *Registration Officer.*

FORM III.

MADRAS LEGISLATIVE ASSEMBLY.

Backward Areas and Tribes Constituency.

(See rule 8.)

List of Claims and Objections.

(*a*) The following persons have put in claims to be registered as electors (or to have the registry of their names corrected) on the roll for the constituency of

Polling area. (1)	Name of claimant. (2)	Address. (3)	Head of qualification. (4)

(*b*) The following objections have been received regarding entries in the roll for the constituency of

Polling area. (1)	Name of objector and number on the roll. (2)	Name of person objected to and number on the roll. (3)

(*c*) The following corrections have been made by the registration officer of his own motion in the roll for the constituency of

Polling area. (1)	Number on the roll. (2)	Nature of correction. (3)

(*d*) The following additions have been made by the registration officer of his own motion in the roll for the constituency of

Polling area. (1)	Name. (2)	Father's or karnavan's name. (3)	Address. (4)	Details of qualification. (5)

(c) The names of the following electors have been removed by the registration officer of his own motion from the roll of the constituency of

Polling area. (1)	Number of elector on the roll. (2)	Name of elector. (3)	Reasons for removal from the roll. (4)

The above claims and objections will be heard and corrections, additions and removals made by the registration officer considered by the Revising Authority on (date) (at place) .

Date *Registration Officer.*

APPENDIX.

(See rule 1.)

Vizagapatam.

Serial number, name of hill-tribe and sub-sects.

1 Bagata.
2 Bhottadas—Bodo Bhottada, Muria Bhottada and Sano Bhottada.
3 Bhumias—Bhuri Bhumia and Boda Bhumia.
4 Barangi Jodia Bissoy.
5 Bennangi „
6 Daduva „
7 Frangi „
8 Hollar „
9 Jhoriya „
10 Kollai „
11 Konde „
12 Paranga „
13 Pengajodia „
14 Sodo Jodia „
15 Takora „
16 Dhakkada
17 Dombs—Andhiya Dombs, Audiniya Dombs, Chonel Dombs, Christian Dombs, Mirgani Dombs, Oriya Dombs, Ponaka Dombs, Telaga and Ummia.
18 Gadabas—Boda Gadaba, Cerllam Gadaba, Franji Gadaba, Jodia Gadaba, Olaro Gadaba, Pangi Gadaba and Paranga Gadaba.
19 Ghasis—Boda Ghasis and San Ghasis.
20 Gondi—Modya Gond and Rajo Gond.
21 Bato Goudus
22 Bhirithya „
23 Dudhokouria „
24 Hato „
25 Jatako „
26 Joria „
27 Kosalya Goudus—Basothoriya Goudus, Chitti Goudus, Dangayath Goudus, Doddu Kamariya, Dudu Kamaro, Ladiya Goudus and Pullosoriya Goudus.

Serial number, name of hill-tribe and sub-sects.

28 Magatha Goudus—Bernia Goudu, Boodo Magatha, Dongayath Goudu, Ladya Goudu, Ponua Magatha and Sana Magatha.

29 Seerithi Goudus.

30 Holva.

31 Jadapus.

32 Jatapus.

33 Khattis—Khatti, Kommaro and Lohara.

34 Kodu.

35 Kommar.

36 Konda Dhora.

37 Konda Kapus.

38 Kondhs—Desaya Kondhs, Dongria Kondhs, Kuttiya Kondhs, Tikiria Kondhs and Yenity Kondhs.

39 Kotia—Bartika Bentho Oriya, Dhulia or Dulia, Holva Paiko, Putiya, Sanrona and Sidho Paiko.

40 Koya or Goud with its sub-sects, Raja or Rasha Koyas, Lingadhari Koyas, Koyas (ordinary) and Gottu Koyas.

41 Malas or Agency Malas or Valmikies.

42 Malis—Korchia Malis, Paiko Malis and Pedda Malis.

43 Mauno.

44 Manna Dhora.

45 Mukha Dhora—Nooka Dhora.

46 Muli or Muliya.

47 Muria.

48 Ojulus or Metta Komsalies.

49 Omanaito.

50 Paigarapu.

51 Palasi.

52 Palli.

53 Pentias.

54 Bodo Porjas.

55 Bonda „

56 Daruva „

57 Didua „

58 Jodia „

59 Mundili „

60 Pengu „

61 Saliya „

62 Pydi.

63 Reddi Dhoras.

64 Relli or Sachandi

65 Ronas.

66 Savaras—Kapu Savaras, Khutto Savaras and Maliya Savaras.

East Godavari.

1 Koyas.

2 Kondareddis.

3 Kondadoras.

4 Kondakapus.

5 Malas.

6 Kammaras.

7 Madigas.

8 Gadabas.

SAFE CUSTODY AND PRESERVATION OF ELECTORAL ROLLS—ALL CONSTITUENCIES.

Preliminary electoral rolls and final electoral rolls once prepared or revised and—

Papers and files relating to claims for correction of the preliminary rolls or for registration and objections to registration and lists of such claims and objections,

shall be preserved until the next revision of the electoral rolls of the constituency to which they relate has been completed and may thereafter be destroyed.

The said papers shall be forwarded by the officers concerned after the result of the election is notified to the Returning Officer of the constituency to which they relate and shall be kept in his record-room until destruction.

2. Certified copies of the abovementioned documents authenticated by the Returning Officer or any person authorized by him for the purpose, shall be given on payment of the same fees as are prescribed for grant of copies of public documents in the Standing Order of the Board of Revenue No. 173.

3. Correspondence regarding the preparation of rolls and papers furnished by Presiding Officers may, except where otherwise provided for under the rules for the conduct of elections, be disposed of under the orders of the Returning Officer.

THE MADRAS LEGISLATIVE COUNCIL (PREPARATION, REVISION AND PUBLICATION OF ELECTORAL ROLLS) RULES, 1936.

In exercise of the powers conferred by paragraph twenty of the Fifth Schedule to the Government of India Act, 1935, read with paragraph twenty-three of Part I of the Government of India (Provincial Legislative Councils) Order, 1936, and of all other powers enabling him in that behalf, the Governor of Madras in Council is hereby pleased to make the following rules for the preparation, revision and publication of the electoral rolls for the Madras Legislative Council:—

Introductory.

1. These rules may be called the Madras Legislative Council (Preparation, Revision and Publication of Electoral Rolls) Rules, 1936.

2. If any difficulty arises as to the preparation, revision or publication of any electoral roll or any list of amendments to any such electoral roll under these rules, the Governor may by order do anything not inconsistent with these rules or with any provision of the Act or of any Order in Council made under the Act which appears to him to be necessary for the proper preparation, revision or publication of the roll or of the list of amendments.

3. If any question arises as to the interpretation of these rules, the question shall be referred to the decision of the Governor and his decision shall be final.

4. In relation to the first elections to the Legislative Council the functions devolving on the Governor under these rules shall be exercised by the Governor in Council; in relation to subsequent elections, the functions under the two foregoing rules and the rules mentioned hereunder shall be exercised by the Governor acting in his individual judgment:—

Section I—Rules 2, 4 (*b*) and 24.
Section II—Rules 2, 5 and 22.

5. The Ruler of an Indian State shall not be disentitled to be included in the electoral roll for any constituency if he is otherwise qualified for such inclusion, provided that he makes an application in writing in that behalf.

6. A subject of an Indian State shall not by reason only of the fact that he is not a British subject be deemed to be disentitled for being an elector of any constituency.

Section I.

Territorial Constituencies other than the European Constituency.

1. The rules in this section shall apply to the preparation of electoral rolls for the territorial constituencies except the European constituency.

2. There shall be a separate electoral roll for each constituency. The electoral roll shall be prepared and revised from time to time by reference to the date prescribed by the Governor in pursuance of paragraph five of the Government of India (Provincial Legislative Councils) Order, 1936. The electoral roll for each constituency shall contain the following particulars, viz., the elector's name, father's or karnavan's or husband's name, address and qualification. It shall be maintained in Form I and shall be divided into parts for each registration area comprised in the constituency and each part shall be divided into sections for each polling area within the registration area. Polling areas in each taluk of a registration area shall be numbered in separate series and the electors in each polling area shall be numbered in one series. The villages in each rural polling area shall be arranged alphabetically and the names, except those of Anglo-Indian electors in the case of General constituencies, in each village shall be arranged alphabetically; in municipal areas, these names shall be arranged alphabetically for each ward in a polling area.

The names of Anglo-Indian electors shall be arranged in a separate section for each polling area of the General constituency concerned.

3. Each electoral roll shall be kept in the vernacular of the district, provided that the Governor may direct that any particular roll or part of a roll shall be kept in any other language or languages.

4. (*a*) The City of Madras, each mufassal municipality and each revenue division of a district, excluding the municipal areas in such division, shall be a separate registration area.

(*b*) The Commissioner of the Corporation of Madras for the City of Madras, the Executive authority of the Municipal Council for each mufassal municipality and the Revenue Divisional Officer for each revenue division shall be the registration officers:

Provided that any of the powers and duties of the registration officer may be performed and exercised by any deputy for the time being approved by the Governor and the provisions of these rules shall, in respect of the powers and duties to be exercised and performed by him, apply to such deputy so far as they apply to the registration officer.

5. Each registration area shall be divided into separate polling areas. Subject to any general or special instructions which the Governor may issue, the polling areas shall be determined by the Commissioner of the Corporation of Madras in the City of Madras, and by the Revenue Divisional Officers in other areas:

Provided that the polling area shall be so arranged as to give all electors such reasonable facilities for voting as are practicable in the circumstances and provided also that different polling areas may be prescribed for different constituencies in the same registration area.

6. (*a*) It shall be the duty of the registration officer to cause inquiry to be made and to prepare. or cause to be prepared, lists of all persons within his registration area appearing to be entitled to be registered as electors in the roll for each constituency. The registration officer shall publish by beat of tom-tom the fact that the electoral roll has to be prepared, in each ward in the case of municipal areas and in each village in the case of rural areas. The lists shall be prepared in the form prescribed for the roll and shall also contain particulars of the qualification entitling each person to registration. The names of female electors shall be distinguished by means of the letter 'S' or its vernacular equivalent.

(*b*) A person who is a partner in a firm which is assessed to income-tax in a particular year shall be deemed to be himself assessed in respect of his share of the firm's income on which income-tax is so assessed, and the amount to be included in his total income in respect of that share shall be such sum as is certified in the manner prescribed in Form II.

7. (*a*) No person's name shall be entered in the electoral roll of more than one territorial constituency or in more than one place in the electoral roll of the same territorial constituency.

(*b*) If a person is qualified to have his name registered in the electoral roll of two or more territorial constituencies or in two or more places in the roll of the same territorial constituency, his name shall be entered in the roll of the constituency or, as the case may be, in the portion of the roll relating to the village or municipal ward in which he ordinarily resides or is believed ordinarily to reside:

Provided that a person whose name is so entered may prefer a claim under sub-rule (*a*) of rule 12 to have his name entered in the roll of any other territorial constituency or, as the case may be, in the portion of the roll of the same constituency relating to another village or municipal ward where he possesses the necessary qualifications; and if the claim is allowed his name shall be entered in the roll or, as the case may be, in the portion of the roll desired and his name shall be removed from the roll or portion thereof where it was originally entered.

8. Not more than one woman shall at any time be enfranchised by one man's qualification. A person having more than one wife may nominate one of his wives to exercise the electoral right. The nomination once made shall be final and shall not be open to challenge.

9. (*a*) The preliminary rolls shall be prepared from the lists compiled with reference to rule 6 and published in the office of the registration officer not later than the date fixed by the Governor in this behalf. Where the preliminary rolls contain no names, the registration officer shall publish a *nil* list.

(*b*) With the preliminary roll the registration officer shall publish a notice in Form III specifying the places where copies of the rolls are available, the mode in which and the time within which claims and objections are to be preferred and the date on which and the place at which the revising authority will begin to sit for their disposal.

10. (*a*) As soon as may be after such publication, copies of the rolls with the notice referred to in sub-rule (*b*) of rule 9 shall be issued as a supplement to the District Gazette.

(*b*) Copies of the parts of the preliminary roll relating to each registration area shall be made available for inspection and sale in the case of municipal areas in the municipal offices and in the case of other areas in the offices of the Revenue Divisional Officers, Tahsildars and Deputy Tahsildars concerned. A copy of the roll relating to each polling area with a notice in Form III shall be posted in each of the public offices situate in the polling area and in rural areas a copy of the roll relating to each village, with the notice, shall also be posted in the village chavadi; where there are no public offices or village chavadis, the publication of the roll shall be made at such other places as the registration officer may decide.

(*c*) The fact of the publication of the preliminary roll shall be published in each ward of a municipality and in the case of rural areas in each village by beat of tom-tom.

11. The registration officer may—

(1) if the time prescribed by the Governor for the publication of the preliminary roll has not expired, within the time so fixed; or

(2) if such time has already expired, within such further time as may be prescribed by the Governor publish a revised preliminary roll in supersession of the roll already published or any part thereof or a list of additions and corrections thereto, in the manner prescribed by the foregoing rules.

Claims and Objections.

12. (*a*) Any person who claims to be entitled to be registered as an elector and who is not entered or is entered in an incorrect place or manner or with incorrect particulars on the preliminary roll, and any person whose name is on the roll and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer a claim or an objection to the revising authority. Such claim or objection shall be sent in Form IV or V, as the case may be, to the registration officer so as to reach him on or before the date fixed by the Governor in this behalf. The claim or objection shall contain full particulars of the qualifications on which the claim is based or the reasons for objection; and the claimant or the objector shall forward along with his claim or objection full evidence in support of the claim or objection or, in case this is not possible, shall produce it before the revising authority. In rural areas, the claim or objection may be sent to a Tahsildar or Deputy Tahsildar within the jurisdiction of the registration officer, before the prescribed date; and the Tahsildar or Deputy Tahsildar shall immediately on receipt of the claim or objection have the facts stated therein verified and forward the claim or objection to the registration officer with a certificate of verification.

(*b*) Claims and objections may be preferred in person or by agent or sent by post.

(*c*) Claims and objections received after the prescribed date shall be rejected.

(*d*) Forms of claims and of notices of objections may be obtained free on application from the registration officer, Tahsildars and Deputy Tahsildars.

13. The registration officer may of his own motion remove from the rolls the names of persons whom he has reason to believe to be dead and correct clerical or accidental mistakes. He may also of his own motion add names of qualified persons and remove names of disqualified persons.

14. The registration officer shall, not later than the date fixed by the Governor in this behalf—

(*a*) post in his own office, in the offices of Tahsildars and Deputy Tahsildars, in each ward of municipalities and in

such other places as the Registration Officer may decide, lists of claims and objections received in time and of corrections, additions and removals made by him of his own motion in Form VI; and

(*b*) send a copy of every notice of objection to the person to whose registration objection has been taken and whenever possible give intimation to the person concerned of the correction, addition and removal made by him of his own motion.

In the lists referred to in clause (*a*) and in the copy and intimation sent under clause (*b*), the registration officer shall give notice that the claims, objections, corrections, additions and removals will be taken into consideration by the revising authority at a place and on a date to be specified therein.

Revising Authority.

15. For each registration area, there shall be constituted a revising authority consisting of the registration officer as chairman and two non-officials to be nominated by the Collector of the district:

Provided that the Collector shall also nominate additional members for each revising authority so that in the event of a member of a revising authority being unable to attend a sitting of the authority, one of the additional members summoned by the chairman may take the place of that member.

Provided further that for the revising authority constituted for the City of Madras and for each revenue division, the Collector may appoint a Deputy Chairman, such Deputy Chairman being the Revenue Officer of the Corporation of Madras in the one case and the Tahsildar at the division headquarters concerned in the other.

16. The revising authority shall sit in open office on the day fixed and from day to day until all the claims and objections are disposed of. They shall make such inquiry as they think fit in regard to each claim or objection and pass orders in writing thereon with reasons if a claim is rejected, or an objection contested; they shall also pass final orders on the lists of corrections, additions and removals made by the registration officer of his own motion. In case of a difference of opinion among the members, the opinion of the majority shall prevail. The decisions of the revising authority shall be final.

17. On the consideration of any claim or objection or other matter by the revising authority any person appearing to be interested therein may appear and be heard either in person or by duly authorized agent.

Publication of Final Roll.

18. The registration officer shall correct the rolls in accordance with the orders of the revising authority and the final rolls shall be published by posting them in the office of the registration officer not later than the date fixed by the Governor in this behalf. If it is more convenient the preliminary rolls together with the lists of additions and corrections may be published as the final rolls. As soon as may be after such publication the lists of additions and corrections or, if it is more convenient, the entire roll as revised shall also be issued as a supplement to the District Gazette and copies of the parts of the lists or of the roll relating to each registration area shall also be made available for inspection, and posted in villages, in the manner prescribed in rule 10 (*b*).

19. Two copies of the roll or part of the roll relating to his registration area shall be signed by each registration officer. One of them shall be kept in his office and the other forwarded to the returning officer for the constituency.

20. The returning officer shall combine the separate parts of each roll and form a complete roll for each constituency. He may at any time correct clerical mistakes or misprints in the final rolls and shall see that the corrections, if any, are carried out in all the copies of the roll.

General.

21. Copies of the final roll (or of the preliminary roll with the list of additions and corrections) relating to each registration area shall be made available for inspection and sale in the office of the registration officer. Complete sets of the final roll (or of the preliminary roll with the lists of additions and corrections) for the several registration areas shall be kept in the office of the returning officer for inspection and sale and for supply to the presiding officers at the polls.

22. Any notice which is required to be sent by the registration officer under these rules to any person shall be sufficiently sent, if sent by post to the address of that person as given by him for the purpose, or as appearing on the roll, or if there is no such address, to his last known place of abode.

23. The Governor shall have power to postpone from time to time any of the dates fixed by him under this section.

24. *Annual revision of electoral rolls.*—The Governor shall every year notify a date by which applications may be presented to the registration officer for the addition of new names to the roll or for the deletion or alteration of names included in it. The registration officer shall pass orders on all such applications, which orders shall be subject to revision by the revising authority as prescribed by rules 12 to 17 above.

FORM I.

Madras Legislative Council.

Territoria lconstituencies other than European.
[See rule 2.]

Electoral roll for *constituency* *Part*
Registration area.
Section Polling area No. Polling station.*

(1) Serial number
(2) Name
(3) Father's, karnavan's or husband's name.
(4) Address (hamlet and main village in rural areas or street and door number in panchayat areas and municipalities)
(5) Head of qualification.

* The polling station mentioned here is only provisional and is liable to be changed by the Returning Officer.

FORM II.

Madras Legislative Council.

Territorial constituencies other than European.

[See rule 6 (*b*).]

This is to certify that is a partner in the firm of
The firm was assessed to income-tax in and his share of the firm's income on which income-tax was assessed was not less than Rs.

Station
Date *Income-tax Officer.*

FORM III.

Madras Legislative Council.

Territorial constituencies other than European.
[See rule 9 (*b*).]

Name of constituency—

1. The preliminary roll of electors for registration area is herewith published for general information. Copies of the roll are available in the offices of .

2. Any person who claims to be entered in this roll and who is not entered in it or is entered in an incorrect place or manner or with incorrect particulars may put in a claim to the registration officer to have his name entered, or the registry corrected.

3. Any person whose name is on this roll and who objects to the correctness of the entry or to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer an objection to the revising authority.

4. Claims shall be preferred in Form IV and objections in Form V appended to this notice. Copies of the forms will be supplied free by the Registration Officer, Tahsildars or Deputy Tahsildars on application.

5. Claims and objections may be presented to the Registration Officer or in rural areas to a Tahsildar or Deputy Tahsildar within the jurisdiction of the Registration Officer, at any time during office hours or sent by post but must reach him on or before

6. Claims and objections which are not preferred in proper form or are not received by the date prescribed will be rejected.

7. All claims and objections received in time and in proper form will be heard by the revising authority at (place) on (date).

Date *Registration Officer.*

FORM IV.

Madras Legislative Council.

Territorial constituencies other than European.

[See rule 12 (*a*)].

Notice of claim for $\frac{\text{correction of registry}}{\text{registration}}$

To

The Revising Authority of registration area.

Sir,

I hereby give you notice that I claim to have $\frac{\text{the registry of my name corrected}}{\text{my name entered}}$ in the roll of electors for the constituency of as follows :—

Name in full of claimant and father's or karnavan's or husband's name. (1)	Address (hamlet and main village, or street and door number). (2)	Head of qualification such as amount of tax assessed, annual value of house occupied or annual rent value of land held. (3)

I declare that I am a British subject, that I attained the age of 21 years on and that I have resided for the qualifying period within the constituency.

Date Signature of claimant.

FORM V.

Madras Legislative Council.

Territorial constituencies other than European.

[See rule 12 (*a*).]

Notice of Objection to Registration.

To

The Revising Authority of Registration area.

Sir,

I hereby give you notice that I object to the name of the person mentioned and described below being retained in the electors' roll for the polling area of in the registration area of for the constituency of :—

Name of person objected to. (1)	Number in the preliminary roll. (2)	Nature of objection. (3)

Date Signature of objector.

Address.

Polling area and number in preliminary roll.

FORM VI.

Madras Legislative Council.

Territorial constituencies other than European.

[See rule 14 (*a*).]

Lists of Claims and Objections.

(*a*) The following persons have put in claims to be registered as electors (or to have the registry of their names corrected) on the roll for the constituency of :—

Polling area. (1)	Name of claimant. (2)	Address. (3)	Head of qualification. (4)

(*b*) The following objections have been received regarding entries in the roll for the constituency of :—

Polling area. (1)	Name of objector and number on the roll. (2)	Name of person objected to and number on the roll. (3)

(*c*) The following corrections have been made by the Registration Officer of his own motion in the roll for the constituency of :—

Polling area. (1)	Number on the roll. (2)	Nature of corrections. (3)

(*d*) The following additions have been made by the Registration Officer of his own motion in the roll for the constituency of :—

Polling area. (1)	Name. (2)	Father's, karnavan's or husband's name. (3)	Address. (4)	Details of qualification. (5)

(c) The names of the following electors have been removed by the Registration Officer of his own motion from the roll of the constituency of :—

Polling area. (1)	Number of elector on the roll. (2)	Name of elector. (3)	Reasons for removal from the roll. (4)

The above claims and objections will be heard and corrections, additions and removals made by the Registration Officer considered by the revising authority on (date) at (place) .

Date Registration officer.

Section II.

European Constituency.

1. The rules in this section shall apply to the preparation of electoral rolls for the European constituency.

2. The electoral roll shall be prepared and revised from time to time by reference to the date prescribed by the Governor in pursuance of paragraph five of the Government of India (Provincial Legislative Councils) Order, 1936. The electoral roll for the constituency shall contain the following particulars, viz., the elector's name, father's or husband's name and address. It shall be maintained in Form I and shall be divided into parts for each registration area comprised in the constituency and each part shall be divided into sections for each polling area within the registration area. Each polling area in a registration area shall be separately numbered and the names of the electors in each polling area shall be arranged alphabetically and numbered in one series.

3. If any question arises whether for the purposes of these rules and the provisions of the Act connected therewith any person is or is not a European, a declaration in Form II signed by such person before a Magistrate not lower in rank than a Presidency Magistrate or a Magistrate of the second class, shall be conclusive proof that such person is a European.

4. The roll shall be kept in English.

5. Each district included in the constituency shall be a separate registration area and its Collector shall be the Registration Officer. Each registration area shall ordinarily be a polling area; but the Collector shall have power to divide a registration area into two or more polling areas:

Provided that any of the powers and duties of the registration officer may be performed and exercised by any deputy for the time being approved by the Governor and the provisions of these rules shall, in respect of the powers and duties to be exercised and performed by him, apply to such deputy so far as they apply to the registration officer.

6. (*a*) It shall be the duty of the registration officer to cause inquiry to be made and to prepare, or cause to be prepared, lists of all persons within his registration area appearing to be entitled to be registered as electors in the roll for the constituency. The lists shall be prepared in the form prescribed for the roll and shall also contain particulars of the qualification entitling each person to registration. The names of female electors shall be distinguished by means of the letter ' S.'

(*b*) A person who is a partner in a firm which is assessed to income-tax in a particular year shall be deemed to be himself assessed in respect of his share of the firm's income on which income-tax is so assessed, and the amount to be included in his total income in respect of that share shall be such sum as is certified in the manner prescribed in Form III.

7. (*a*) No person's name shall be entered in more than one place in the electoral roll of the constituency.

(*b*) If a person is qualified to have his name registered in two or more places in the roll, his name shall be entered in the portion of the roll relating to the village or municipal ward in which he ordinarily resides or is believed ordinarily to reside :

Provided that a person whose name is so entered may prefer a claim under sub-rule (*a*) of rule 11 to have his name entered in the portion of the roll of the constituency relating to another village or municipal ward where he possesses the necessary qualifications; and if the claim is allowed his name shall be entered in the portion of the roll desired and his name shall be removed from the portion thereof where it was originally entered.

8. (*a*) The preliminary rolls shall be prepared from the lists compiled with reference to rule 6 and published by posting them in the office of the registration officer not later than the date fixed by the Governor in this behalf. When the preliminary rolls contain no names, the registration officer shall publish a *nil* list.

(*b*) With the preliminary roll the registration officer shall publish a notice in Form IV specifying the places where copies of the rolls are available, the time within which claims and objections are to be preferred and the date on which and the place at which the revising authority will begin to sit for their disposal.

9. (*a*) As soon as may be after such publication, copies of the rolls with the notice referred to in rule 8 (*b*) shall be issued as a supplement to the district gazette.

(*b*) Copies of the parts of the preliminary roll relating to each registration area shall be made available for inspection and sale in the office of the registration officer and in the offices of Revenue Divisional Officers, Tahsildars and Deputy Tahsildars. Complete sets of the rolls of the several registration areas shall be kept in the office of the returning officer for inspection and sale.

10. The registration officer may—

(1) if the time prescribed by the Governor for the publication of the preliminary roll has not expired, within the time so prescribed; or

(2) if such time has already expired, within such further time as may be prescribed, by the Governor publish a revised preliminary roll in supersession of the roll already published or any part thereof or a list of additions and corrections thereto, in the manner prescribed by the foregoing rules.

Claims and Objections.

11. (*a*) Any person who claims to be entitled to be registered as an elector and who is not entered or is entered in an incorrect place or manner or with incorrect particulars, on the preliminary roll, and any person whose name is on the roll and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer a claim or an objection to the revising authority. Such claim or objection shall be sent in Form V or VI to the registration officer so as to reach him on or before the date fixed by the Governor in this behalf. The claim or objection shall contain full particulars of the qualifications on which the claim is based or the reasons for objection; and the claimant or the objector shall forward along with his claim or objection full evidence in support of the claim or objection or in case this is not possible, shall produce it before the revising authority. In rural areas, the claim or objection may be sent to a Tahsildar or Deputy Tahsildar within the jurisdiction of the registration officer before the date fixed; and the Tahsildar or Deputy Tahsildar shall immediately on receipt of the claim or objection have the facts stated therein verified and forward the claim or objection to the registration officer with a certificate of verification.

(*b*) Claims and objections may be preferred in person or by agent or sent by post.

(*c*) Claims and objections received after the prescribed date shall be rejected.

(*d*) Forms of claims and of notices of objections may be obtained free on application from the registration officer.

12. The registration officer may of his own motion remove from the lists the names of persons whom he has reason to believe to be dead and may correct clerical or accidental mistakes. He may also of his own motion add names of qualified persons and remove names of disqualified persons.

13. The registration officer shall, not later than the date fixed by the Governor in this behalf—

(*a*) publish in his office lists of all claims and objections received in time and of corrections, additions and removals made by him of his own motion in Form VII; and

(*b*) send a copy of every notice of objection to the person to whose registration objection has been taken and whenever possible give intimation to the person concerned of the correction, addition and removal, made by him of his own motion.

In the lists referred to in clause (*a*) and in the copy and intimation sent under clause (*b*) the registration officer shall give notice that the claims, objections, corrections, additions and removals will be taken into consideration by the revising authority at a place and on a date to be specified therein.

Revising Authority.

14. For each registration area, the revising authority shall be the Collector of the district. He shall sit in open office on the day fixed and from day to day until all the claims and objections are disposed of. He shall make such enquiry as he thinks fit in regard to each claim or objection and pass orders in writing thereon with reasons if a claim is rejected or an objection contested. Final orders shall also be passed on the lists of corrections, additions and removals made by the registration officer of his own motion. The decisions of the revising authority shall be final.

15. On the consideration of any claim or objection or other matter by the revising authority any person claiming to be interested therein may appear and be heard either in person or by duly authorized agent.

Publication of Final Roll.

16. The registration officer shall correct the rolls in accordance with the orders of the revising authority.

17. Two copies of the final roll relating to his registration area shall be signed by each registration officer. One of them shall be kept in his office and the other forwarded to the returning officer.

18. The returning officer shall combine the rolls of the several registration areas and form a complete roll for the constituency. He shall then publish the complete roll as a supplement to the *Fort St. George Gazette*, not later than the date fixed by the Governor in this behalf. The returning officer may at any time correct clerical mistakes or misprints in the final roll and shall see that the corrections, if any, are carried out in all the copies of the roll.

19. Copies of the complete roll (or of the preliminary roll with the lists of additions and corrections) shall be made available for inspection in the offices of the returning and registration officers. Complete sets of the roll (or of the preliminary rolls with the lists of additions and corrections) for the several registration areas shall be kept in the office of the returning officer for inspection and sale and for supply to the presiding officers at the polls.

20. Any notice which is required to be sent by the registration officer under these rules to any person shall be sufficiently sent, if sent by post to the address of that person as given by him for the purpose, or as appearing on the roll, or if there is no such address, to his last known place of abode.

21. The Governor shall have power to postpone from time to time any of the dates fixed by him under this section.

22. *Annual revision of electoral rolls.*—The Governor shall every year notify a date by which applications may be presented

to the registration officer for the addition of new names to the roll or for the deletion or alteration of names included in it. The registration officer shall pass orders on all such applications, which orders shall be subject to revision by the revising authority as prescribed by rules 11 to 15.

FORM I.

Madras Legislative Council.

European Constituency.

[See rule 2.]

Electoral roll for European Constituency.

Part — Registration Number No.

Section — Polling area

1 Serial number
2 Name
3 Father's or karnavan's or husband's name
4 Address
5 Head of qualification

FORM II.

Madras Legislative Council.

European Constituency.

[See rule 3.]

Declaration by a European.

I (here enter name, profession and address) do hereby declare—

(*a*) that my father (or grandfather or other remoter male progenitor in the male line) is/was of European descent; and

(*b*) that I am not a native of India within the meaning of that expression as defined in the First Schedule to the Government of India Act (25 and 26 Geo. V, Ch. 42) as I was not born within the dominions of His Majesty in India or Burma and/or my parents were not (habitually *) resident in India or Burma (* but were established there for temporary purposes only).

In witness whereof I have hereunto set my hand this the day of One thousand nine hundred and

(Signature)

Declaration made before and deposited with me in my office on this the day of One thousand nine hundred and

Signature of Magistrate.

Station

Date *Designation*

FORM III.

Madras Legislative Council.

European Constituency.

[See rule 6 (*b*).]

This is to certify that is a partner in the firm of . The firm was assessed to income-tax in and his share of the firm's income on which income-tax was assessed was not less than Rs. .

Income-tax Officer.

Station
Date

* Does not apply to cases where the parents were not resident in India or Burma at all.

FORM IV.

Madras Legislative Council.

European Constituency.

[See rule 8 (*b*).]

Name of constituency—

1. The preliminary electoral roll of electors for the registration area is herewith published for general information. Copies of the rolls are available in the offices of .

2. Any person who claims to be entered in this roll and who is not entered in it or is entered in an incorrect place or manner or with incorrect particulars may put in a claim to the revising authority to have his name entered or the entry corrected.

3. Any person whose name is on this roll and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer an objection to the revising authority.

4. Claims shall be preferred in Form V and objections in Form VI appended to this notice. Copies of the forms will be supplied free by the Registration Officer, Tahsildars or Deputy Tahsildars on application.

5. Claims and objections may be presented to the Registration Officer or in rural areas to a Tahsildar or Deputy Tahsildar within the jurisdiction of the registration officer at any time during office hours or sent by post but must reach him on or before .

6. Claims and objections which are not preferred in proper form or are not received by the date prescribed will be rejected.

7. All claims and objections received in time and in proper form will be heard by the revising authority at (place) on (date) .

Date *Registration Officer.*

FORM V.

Madras Legislative Council.

European Constituency.

[See rule 11 (*a*).]

Notice of claim for correction of registry / registration.

To

The Revising Authority of registration area.

Sir,

I hereby give you notice that I claim to have the registry of my name corrected / my name entered in the roll of electors for the constituency of as follows :—

Name in full of claimant and father's or karnavan's or husband's name. (1)	Address (hamlet and main village, or street and door number). (2)	Head of qualification such as amount of tax assessed, annual value of house occupied or annual rent value of land held. (3)

I declare that I am a British subject, that I attained the age of 21 years on and that I have resided for the qualifying period within the constituency.

Date . Signature of claimant.

Address

FORM VI.

Madras Legislative Council.

European Constituency.

[See rule II (*a*)].

Notice of Objection to registration.

To

The Revising Authority of registration area.

Sir,

I hereby give you notice that I object to the name of the person mentioned and described below being retained in the electors' roll for the polling area of in the registration area of for the constituency of .

Name of person objected to (1)	Number in the preliminary roll. (2)	Nature of objection and evidence produced. (3)

Date

Signature of objector.

Address

Polling area and number in preliminary roll.

FORM VII.

Madras Legislative Council.

European Constituency.

[See rule 13 (*a*)]

List of Claims and Objections.

(*a*) The following persons have put in claims to be registered as electors (or to have the registry of their names corrected) on the roll for the constituency of .

Polling area. (1)	Name of claimant. (2)	Address. (3)	Head of qualification. (4)

(*b*) The following objections have been received regarding entries in the roll for the constituency of .

Polling area. (1)	Name of objector and number on the roll. (2)	Name of person objected to and number on the roll. (3)

(*c*) The following corrections have been made by the Registration Officer of his own motion in the roll for the constituency of .

Polling area. (1)	Number on the roll. (2)	Nature of corrections (3)

(*d*) The following additions have been made by the Registration Officer of his own motion in the roll for the constituency of .

Polling area. (1)	Name. (2)	Father's, karnavan's or husband's name (3)	Address. (4)	Details of qualification. (5)

(*e*) The names of the following electors have been removed by the Registration Officer of his own motion from the roll for the constituency of .

Polling area. (1)	Number of elector on the roll. (2)	Name of elector. (3)	Reasons for removal from the roll. (4)

The above claims and objections will be heard and corrections, additions and removals made by the Registration Officer considered by the revising authority on (date) at (place)

Date *Registration Officer.*

SAFE CUSTODY AND PRESERVATION OF ELECTORAL ROLLS—ALL CONSTITUENCIES.

Preliminary electoral rolls and final electoral rolls once prepared or revised and papers and files relating to claims for correction of the preliminary rolls or for registration and objections to registration and lists of such claims and objections shall be preserved until the next revision of the electoral rolls of the constituency to which they relate has been completed and may thereafter be destroyed.

The said papers shall be forwarded by the officers concerned after the result of the election is notified to the returning officer of the constituency to which they relate and shall be kept in his record-room until destruction.

2. Certified copies of the abovementioned documents authenticated by the returning officer or any person authorized by him for the purpose, shall be given on payment of the same fees as are prescribed for grant of copies of public documents in the Standing Order of the Board of Revenue, No. 173.

3. Correspondence regarding the preparation of rolls and papers furnished by presiding officers may, except where otherwise provided for under the rules for the conduct of elections, be disposed of under the orders of the returning officer.

THE GOVERNMENT OF INDIA (PROVINCIAL LEGISLATIVE ASSEMBLIES) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 30th day of April 1936.

Present,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section two hundred and ninety-one of, and the Fifth and Sixth Schedules to, the Government of India Act, 1935 (hereafter in this Order referred to as " the Act "), His Majesty in Council is empowered to make provision with respect to certain matters connected with Provincial Legislative Assemblies :

AND WHEREAS by sub-section (4) of section three hundred and eight of the Act His Majesty in Council is empowered to make amendments of the provisions of the Act relating to the qualifications of members of Provincial Legislative Assemblies and the qualifications entitling persons to be registered as voters for the purposes of elections to those Assemblies :

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of sub-section (1) of section three hundred and nine of the Act, and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

NOW, THEREFORE, His Majesty, in the exercise of the powers conferred on him as aforesaid and of all other powers enabling him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows :—

PART I.

INTRODUCTORY AND GENERAL.

Introductory.

1. This Order may be cited as the Government of India (Provincial Legislative Assemblies) Order, 1936.

2. (1) In this Order, except where the context otherwise requires—

" territorial constituency " means one of the territorial constituencies mentioned in paragraphs five and eight of the Fifth Schedule to the Act ;

" special constituency " means a constituency not being a territorial constituency ;

" seat," " election," and " constituency " in relation to any Province mean respectively a seat in the Legislative Assembly of that Province and an election or a constituency for the purpose of filling such a seat, and " election " includes a primary election ;

"prescribed," except in the phrase "the prescribed date," has the same meaning as in the Fifth Schedule to the Act;

"rules" means rules made under paragraph twenty of the Fifth Schedule to the Act;

"commerce" includes banking, insurance and transport;

"mining" includes the getting of oil;

"factory" means a factory within meaning of Factories Act, 1934, and "perennial factory" means a factory which is not a seasonal factory for the purposes of that Act;

"mine" means a mine which is subject to the provisions of the Indian Mines Act, 1923;

"Gazette" means the Government Gazette of the province in question;

"preparation" in relation to an electoral roll includes revision thereof and "prepare" shall be construed accordingly;

"member" in relation to a constituent body for a commerce and industry, mining or planting constituency does not include an associate member;

and, subject as aforesaid and to any other provisions of this Order, expressions to which a meaning is assigned by the Sixth Schedule to the Act, either generally or in relation to any particular Province, have, except where the context otherwise requires, the same meanings for the purposes of this Order, either generally or in relation to that Province, as the case may be.

(2) The fact that one of two territorial constituencies is an urban and the other a rural constituency, or that in one of them the seat or one of the seats is a woman's seat or a reserved seat, shall not prevent them being deemed to be constituencies of the same communal description or constituencies of a similar class if they are both general constituencies or constituencies assigned to a specified community, and the expressions "seat or the same communal description" and "seat of a similar class" shall for the purposes of the Schedules to the Act and of this Order be construed accordingly.

(3) Any reference in this Order to a paid up capital of not less than a specified amount shall be construed as including a reference to a paid up capital of not less than the equivalent of that amount in sterling.

(4) Any reference in this Order to all or any of the provisions of any Indian Act shall be construed as a reference to those provisions as amended by or under any other Act or, if those provisions are repealed and re-enacted with or without modification, to the provisions so re-enacted.

(5) The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament

Special Constituencies.

3. There shall be an electoral roll for every special constituency and no person who is not, and, except as expressly provided by the Fifth Schedule to the Act and this Order, every person who is, for the time being included in the electoral roll for any such constituency shall be entitled to vote in that constituency.

4. The electoral rolls for the special constituencies shall be made up, and from time to time in whole or in part revised, by reference to such date, in this Order referred to as " the prescribed date ", as may be directed in each case by the Governor exercising his individual judgment.

5. Subject to any express provisions of this Order, no person shall be included in the electoral roll for any special constituency unless he has attained the age of twenty-one years and is either :—

(*a*) a British subject; or

(*b*) the Ruler or a subject of a Federated State; or

(*c*) if and so far as it is so prescribed with respect to any Province, and subject to any prescribed conditions, the Ruler or a subject of any other Indian State.

6. No person shall be included in the electoral roll for, or vote at any election in, a special constituency if he is of unsound mind and stands so declared by a competent court.

7. No person shall be included in the electoral roll for, or vote at any election in, a special constituency if he is for the time being disqualified from voting under the provisions of any such Order in Council, Act of the Provincial Legislature or rules as may be made or passed under the Act with respect to corrupt practices and other offences in connection with elections, and the name of any person who becomes so disqualified shall forthwith be struck off all the electoral rolls for special constituencies in which it may be included.

8. No person shall vote at an election in a special constituency if he is for the time being undergoing a sentence of transportation, penal servitude or imprisonment.

9. For the purposes of the provisions of this Order relating to the qualifications for inclusion in electoral rolls for special constituencies, any property owned, held or occupied or payment made by, or assessment made on, a person as a trustee, guardian administrator or receiver, or in any other fiduciary capacity, shall, subject as hereinafter provided, be left out of account :

Provided that, except in the United Provinces, a person shall be qualified to be included in the electoral roll for a landholder's constituency if he—

(*a*) is on the prescribed date the guardian of a minor who under this Order would have been entitled to be included in that roll if he were of full age and satisfied the relevant requirements of this Order as to residence; and

(*b*) would himself have been entitled to be included in that roll, if the property of the minor were his own property.

10. For the purposes of the said provisions, where property is owned, held or occupied or payments are made jointly by, or assessments are made jointly on, the members of a joint family, the family shall be adopted as the unit for deciding whether any qualification exists, and if it does exist, the person qualified shall be, in the case of a Hindu joint family, the manager thereof, and, in the case of any other joint family, the member thereof authorised in that behalf by the family :

Provided that in the case of Bengal this paragraph shall not apply where members of a joint family have separate accommodation and separate messing, and in the case of the Punjab it shall not apply where the respective shares of the members of a joint family are specified in land records or municipal or cantonment records or a decree of a civil court.

11. Subject to the provisions of the last preceding paragraph, where any property is owned, held or occupied or payments are made jointly by, or assessments are made jointly on, more than one person, any reference in the provisions of this Order relating to special constituencies to any property, payment or assessment shall be construed as a reference to each person's share of that property, payment or assessment.

12. Where under the provisions of this Order any qualification for being included in an electoral roll for a special constituency depends upon the owning or holding of land in a specified area, or the being assessed or the making of payments in respect of land in a specified area, two or more parcels of land in that area owned or held by a person, and assessments made on or payments made by a person in respect of two or more parcels of land in that area, may be aggregated for the purpose of determining whether the qualification exists, but without prejudice, and subject, to any express provision in this Order with respect to such aggregation.

13. A person shall not be qualified to be included in the electoral roll for any labour constituency if he is subject to Indian military law.

General.

14. (1) For the avoidance of doubt, it is hereby declared that a primary election held for the purpose of electing candidates for a seat reserved for members of the Scheduled Castes may be proceeded with notwithstanding that less than four candidates stand at that primary election, and that the remainder of the election may be proceeded with notwithstanding that, by reason of a deficiency of candidates at the primary election or by reason of the withdrawal or death of candidates elected thereat, there are or remain less than four duly elected scheduled caste candidates for the seat.

(2) At a poll at any such primary election no voter shall have more than one vote.

(3) Save as expressly provided in this Order with respect to Bengal a member of the scheduled castes shall not be disqualified to hold a seat not reserved for members of the scheduled castes by reason that he has not been elected at a primary election as a candidate for a seat so reserved.

15. Subject to any express provisions of this Order to the contrary, where at an election a poll is taken for the purpose of filling more than one seat, a voter shall have as many votes as there are seats to be filled on the poll and may give all those votes to one candidate, or may distribute them between such candidates and in such manner as he thinks fit.

16. (1) The provisions of this paragraph shall apply in relation to any election in a constituency where the seats to be filled include a seat or seats reserved for members of the Scheduled Castes or a seat reserved for a Maratha, a representative of backward tribes or areas, or, in the case of the Bengal Anglo-Indian constituency, a woman.

(2) If the number of candidates qualified to be chosen to fill a seat or seats so reserved is equal to the number of seats so reserved, all those candidates shall be declared to be elected to fill the reserved seat or reserved seats and a poll shall only be taken, if necessary, for filling any seat or seats not filled under this sub-paragraph.

(3) If the number of candidates qualified to be chosen to fill a seat or seats so reserved is greater than the number of seats so reserved, then, when the counting of the votes has been completed, the Returning Officer shall first declare that one, or those, of the qualified candidates to whom largest number of votes has been given to be elected to fill the reserved seat or the reserved seats.

(4) If the number of candidates qualified to be chosen to fill a seat or seats so reserved is less than the number of seats so reserved, all those candidates, if any, shall be declared to be elected to fill seats so reserved, and the Governor, exercising his individual judgment, shall by notification in Gazette call upon the constituency to elect a person or persons, as the case may be, within such time as may be specified in the notification :

Provided that where a constituency having been already so called upon has failed to elect a person, or the requisite number of persons, as the case may be, to fill a vacancy or vacancies, the Governor shall not be bound again to call upon the constituency to elect a person or persons to fill the vacancy or vacancies until such time as, exercising his individual judgment, he may think fit.

17. If, when a poll has been taken at an election, an equality of votes is found to exist between any candidates, and the addition of one vote will entitle any of the candidates to be declared elected, one additional vote shall be given by the Returning Officer to the

candidate, or, as the case may be, the candidates, selected by lot drawn in the presence of the Returning Officer in such manner as he may determine.

18. (1) The fact that a person or body has, in relation to any constituency, more than one qualification to be included, or to nominate persons to be included, in the electoral roll therefor, shall not increase his or its rights as respects inclusion, or as the case may be, the nomination of persons for inclusion, in that roll.

(2) No person shall be entitled to be included twice in the electoral roll for any particular constituency, and the fact that a person is included twice in the electoral roll for a constituency shall not increase his rights as respects voting therein.

19. If a person is elected to more than one seat in the Legislative Assembly of a Province then, unless within the prescribed time he resigns all but one of the seats, all the seats shall become vacant.

20. (1) The dates on which nominations are to be made and scrutinised, polls held and other acts done in connection with elections to a Provincial Legislative Assembly shall be fixed by the Governor in his discretion.

(2) Nothing in this paragraph shall be construed as preventing Acts of the Provincial Legislature or rules from making general provision with respect to the intervals which are to elapse between the successive stages of an election.

21. (1) In all constituencies the electoral roll shall be prepared by such authority as the Governor exercising his individual judgment shall appoint :

Provided that in preparation of such roll the authority so appointed may, subject to any prescribed restrictions, employ such persons as he thinks fit.

(2) In all constituencies and at all elections the Returning Officer shall be a person in the service of the Crown in India.

22. (1) If the boundaries of any district or other administrative area mentioned in this Order or in the Sixth Schedule to the Act are altered, any reference in this Order or in the said Schedule to that district or area shall, as from such date or dates as may be fixed by the Governor, exercising his individual judgment, either for all purposes or for any particular purposes of this Order or of the said Schedule, be taken as a reference to the district or area as altered.

(2) Sub-paragraph (7) of paragraph thirteen of Part I of the Sixth Schedule to the Act (which relates to alterations in the boundaries of districts) shall cease to have effect.

23. The provisions of the Fifth and Sixth Schedules to the Act shall have effect subject to the minor amendments specified in the First Schedule to this Order.

24. The Governor of the Province may at any time by order vary the name of any territorial constituency if he deems it expedient so to do.

25. Notwithstanding anything in the Indian Income Tax Act, 1922, it shall be the duty of the appropriate income-tax officers to give to any person charged by law with the duty of inquiring into the qualifications of electors such information as is necessary for the purpose of enabling him to discharge that duty.

26. Anything which under the provisions of the Act, or of this Order, is required or authorised to be done by, to or before the Governor of a Province in connection with the preparation of electoral rolls or the holding of elections, or otherwise for the purpose of constituting the Legislative Assembly of the Province in due time (whether or not the Governor is to act in his discretion or to exercise his individual judgment) shall, before the commencement of Part III of the Act, be done by, to or before the Governor in Council or, in the case of Sind or Orissa, the Governor.

PART II.

Madras.

The Territorial Constituencies.

1. (1) The territorial constituencies for the Province shall be those specified in the first column of the tables in Parts I to VI of the Second Schedule to this Order, the extent thereof shall be as specified in the second column of those tables and the total number of seats to be filled in each of them shall be as specified in the third column of those tables.

(2) The women's constituencies specified in Part III of the said Schedule are constituencies specially formed under sub-paragarph (*b*) of paragraph eight of the Fifth Schedule to the Act.

(3) In the case of the general constituencies, of the total number of seats to be filled in each constituency the number of seats, if any, specified in the fourth column of the table shall be reserved for members of the scheduled castes.

(4) All territorial constituencies not declared in the said tables to be urban constituencies shall be deemed for the purposes of the Sixth Schedule to the Act to be rural constituencies.

Women's Seats.

2. A woman shall not be qualified to be chosen to fill a seat reserved for women unless she is entitled to vote in the choice of a member to fill that seat or some other seat of the same communal description.

Anglo-Indian Seats.

3. At a poll in the Anglo-Indian constituency when more than one seat is to be filled, a voter, while having as many votes as there are seats to be filled, shall not give more than one vote to any one candidate.

European Seats.

4. A person shall not be qualified to be chosen to fill a European seat unless he is a European entitled to vote in the choice of a member to fill that seat or some other seat.

5. At a poll in the European constituency when more than one seat is to be filled, a person, while having as many votes as there are seats to be filled, shall not give more than one vote to any one candidate.

Indian Christian Seats.

6. A person shall not be qualified to be chosen to fill an Indian Christian seat unless he is an Indian Christian entitled to vote in the choice of a member to fill that seat or some other seat in a territorial constituency.

Amendments of Part II of Sixth Schedule.

7. Subject, in the case of any woman who is the wife of a man with more than one wife, to any Act of the Provincial Legislature or rules relating to the selection of the wife to be included, application for inclusion in the electoral roll for a territorial constituency shall not be necessary in the case of women qualified by virtue of their husbands' qualifications, except where the husband's qualification is being a retired, pensioned or discharged officer, non-commissioned officer, soldier or man, and, accordingly, for paragraph ten of Part II of the Sixth Schedule to the Act there shall be substituted the following paragraph :—

> "10. No person shall, by virtue of sub-paragraph (*e*) of paragraph two, sub-paragraph (*c*) or sub-paragraph (*d*) of paragraph three, paragraph five or paragraph six of this part of this Schedule, or by virtue of her husband being a retired, pensioned or discharged officer, non-commissioned officer or soldier, be included in the electoral roll for any territorial constituency, unless application is made in the prescribed manner by, or, if it is so prescribed, on behalf of, that person, that that person should be so included."

8. After paragraph nine of Part II of the Sixth Schedule to the Act there shall be inserted the following paragraph :—

Special qualification for Scheduled Castes.

> 9A. Subject to the provisions of Part I of this Schedule and to any overriding provisions of this Part of this Schedule, a person who is a member of the scheduled castes shall be qualified to be included in the electoral roll for any territorial constituency if throughout the previous fasli year he occupied as owner or lessee a house in a municipality, a cantonment or an area subject to the jurisdiction of a local board with an annual rent value of not less than eighteen rupees, or a house elsewhere with an annual rent value of not less than twelve rupees."

9. The following minor amendments shall be made in Part II of the Sixth Schedule to this Act—

(i) in sub-paragraphs (*f*) and (*h*) of paragraph nine, for the words " is registered " there shall be substituted the words " was on the last day of the previous fasli year registered ";

(ii) in sub-paragraph (*g*) of the said paragraph, for the word " holds " there shall be substituted the words " held throughout the previous fasli year ";

(iii) in sub-paragraph (*i*) of the said paragraph for the words " is a landholder " there shall be substituted the words " was on the last day of the previous fasli year a registered landholder ";

(iv) in sub-paragraph (*j*) of the said paragraph, for the word " holds " there shall be substituted the words " held on the last day of the previous fasli year ";

(v) at the end of paragraph twelve there shall be inserted the following sub-paragraph—

" (3) References in this Part of this Schedule to or to taxes payable in respect of, land or houses relate exclusively to land or houses in the Province."

Representation of Backward Tribes.

10. (1) The seat to be filled by a representative of backward tribes shall be filled by an election in the special constituency specified in the first and second columns of Part VII of the Second Schedule to this Order.

(2) A person shall not be qualified to be included in the electoral roll for the said special constituency unless he is a member of a backward tribe, but, subject as aforesaid and subject to the other provisions of this Order, the qualifications for inclusion in the said electoral roll shall be those which are by Part II of the Sixth Schedule to the Act specified as the qualifications for inclusion in the electoral rolls for rural territorial constituencies.

(3) A person shall not be qualified to be chosen to fill the said seat unless he is a member of a backward tribe who is entitled to vote in the choice of a member to fill that seat or some seat in a territorial constituency.

(4) In this paragraph " backward tribe " means any of the tribes specified in Part I of the Thirteenth Schedule to this Order.

Commerce, Industry and Planting Seats.

11. (1) The seats to be filled by representatives of commerce and industry and planting shall be filled by elections in the constituencies specified in the first column of the table in Part VIII of the Second Schedule to this Order.

(2) In the second column of that table are specified, in relation to each such constituency, the bodies (hereafter referred to as " the constituent bodies ") membership of which is, in the manner hereafter provided, to be the basis for the electoral roll for the constituency.

(3) In the third column of that table is specified the number of seats assigned to each constituency.

12. (1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a commerce and industry or planting constituency if he is himself a qualified member of one of the constituent bodies, or is the nominee in that behalf of a firm, Hindu joint family or corporation which is a qualified member of one of those bodies.

(2) For the purposes of this paragraph, a member of a constituent body shall be deemed to be a qualified member thereof if, and only if he or it—

(*a*) is a subscribing member shown as such in the list of members and has paid all subscriptions accrued due before the end of the previous financial year; and

(*b*) is engaged in commerce or industry and has a place of business in the Province; and

(*c*) in the case of an individual, a firm or a Hindu joint family, was in any one of the five financial years immediately preceding that in which the prescribed date falls, assessed to income tax on an income of not less than ten thousand rupees derived from commerce or industry; and

(*d*) in the case of a corporation, has a paid up capital of not less than one lakh of rupees.

(3) For the purposes of this paragraph—

(*a*) if in any financial year the partners in a firm have been separately assessed to income tax on their shares of the income of the firm derived from commerce or industry, the firm shall be deemed to have been assessed to income tax on that income to an amount equal to the aggregate of the assessments so made on the partners in the firm for the time being in respect of that income of the firm; and

(*b*) a firm shall be deemed to retain its identity notwithstanding any change in the partners therein.

(4) In relation to the Madras Planters' constituency this paragraph shall have effect as if the references in sub-paragraphs (2) and (3) thereof to commerce or industry were references to planting.

13. (1) A firm, corporation or Hindu joint family shall be entitled to nominate not more than three persons for the purposes of the last preceding paragraph, and the names of the persons so nominated shall be inserted in the electoral roll as being the nominees of the firm, corporation or family in question, but not more than one of those persons shall be entitled to vote at any election.

(2) No person shall be nominated as aforesaid by a firm or Hindu joint family, unless he is a member thereof or a person who is and has for at least six months been authorised to sign documents in its name in the ordinary course of its business.

(3) No person shall be nominated as aforesaid by a corporation unless he is a director, managing agent or manager thereof, or the secretary thereof, or a person who is and has for at least six months been authorized to sign documents in its name in the ordinary course of its business.

14. (1) No person shall be, or be entitled to nominate persons to be, included in the electoral roll of more than one commerce and industry constituency.

(2) If at a general election a person votes in more than one commerce and industry constituency, his votes in all those constituencies shall be void.

15. A person shall not be qualified to be chosen to fill a commerce and industry or planting seat unless he is included in the electoral roll for the constituency.

16. No member of the Nagarathar Community shall be qualified to be included in the electoral roll for the Southern Indian Chamber of Commerce constituency and no Hindu joint family belonging to, or firm or corporation controlled by persons belonging to, the said community shall be entitled to nominate any person to be included in that electoral roll.

Landholders' Seats.

17. (1) The seats to be filled by representatives of landholders shall be filled by elections in the constituencies specified in the table in Part IX of the Second Schedule to this Order.

(2) The extent of each such constituency shall be as specified in the second column of that table.

(3) One seat shall be filled in each of those constituencies.

18. A person shall not be qualified to be included in the electoral roll for a landholder's constituency unless he has resided in a house in the constituency for a period of not less than one hundred and twenty days in the previous financial year.

19. (1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a landholder's constituency if he is a zamindar, janmi or malikhanadar and either—

(*a*) possesses an annual income, calculated as hereinafter provided, of not less than three thousand rupees derived from an estate in the Province or from a malikhana allowance from a government in British India, or partly from such an estate and partly from such an allowance; or

(*b*) is registered as the janmi of land in the Province on which the assessment is not less than one thousand five hundred rupees per annum.

(2) For the purposes of the last preceding sub-paragraph—

(*a*) "zamindar" means the holder of an estate;

(b) the annual income of a zamindar shall be taken to be the annual rent value upon which the land-cess is calculated under the Madras Local Boards Act, 1920, excluding the jodi, quit-rent, peshkash or similar charge payable by him to the Government;

(c) income derived from a portion of an estate which is not separately registered in the office of a Collector shall not be taken into account;

(d) assessments paid on two or more parcels of land may be aggregated :

Provided that the assessment paid on any such land as is referred to in the next but one succeeding paragraph and the assessment paid on any other land shall not be aggregated unless the holder of that other land has been nominated under the said paragraph to represent the joint holders of the first-mentioned land.

20. Subject to the provisions of the next succeeding paragraph, no person claiming to be qualified to be included in the electoral roll for a landholder's constituency on account of the possession of income derived from land for which a public register is kept shall be entitled to have that income taken into account in determining his eligibility unless the land from which the income is derived stands registered in that register in his name.

21. (1) If several persons are registered as joint holders of land a majority of the adult male persons so registered may nominate in writing any one of themselves (being a person who, if he were the sole holder of the land would be qualified for inclusion in the electoral roll) to be their representative for voting purposes and the name of that representative alone shall be entered in the electoral roll, and, if no such nomination is made, no entry shall be made in the roll in respect of the land.

(2) Land registered under section fourteen of the Malabar Land Registration Act, 1895, in the joint names of the registered proprietor and another person is not land registered in the names of joint holders within the meaning of this paragraph.

(3) If a person nominated under this paragraph to represent a group of joint owners is himself possessed of a separate property qualification as an elector, he may elect whether to be entered in the electoral roll in his representative capacity or in his separate capacity, but he shall not be entered in both capacities.

22. (1) A person shall not be qualified to be included in the electoral roll for more than one landholder's constituency and any person who would, but for the provisions of this paragraph, be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one landholder's constituency, his votes in all those constituencies shall be void.

Labour Seats.

23. (1) The seats to be filled by representatives of labour shall be filled by elections in the constituencies specified in the first column of the tables in Part X of the Second Schedule to this Order.

(2) One seat shall be filled in each of those constituencies.

(3) Of those constituencies the Railway Trade Union constituency and the Textile Workers Trade Union constituency shall be trade union constituencies, that is to say, constituencies the electoral rolls for which shall, in the manner hereafter provided, be based on membership of the trade unions mentioned in the second column of the first of the said tables.

The trade unions on membership of which the electoral roll of a labour constituency is to be based as aforesaid are hereafter referred to as "constituent trade unions."

(4) The remainder of the said constituencies shall be non-union labour constituencies and the electoral roll for each such constituency shall be based, in the manner hereafter provided on employment at a qualifying industrial establishment, that is to say, such an industrial establishment as is mentioned in relation to the constituency in the second column of the second of the said tables.

24. (1) A trade union shall be deemed to be a constituent trade union if and only if it is a recognised trade union and is certified by the Governor, exercising his individual judgment, to be such a trade union as is mentioned in the first table in the said Part of the said Schedule in relation to the particular constituency.

(2) A trade union shall be deemed for the purposes of this order to be a recognised trade union if and only if it is certified by the Governor, exercising his individual judgment—

(*a*) to be a *bona fide* trade union existing wholly or mainly for industrial or provident purposes; and

(*b*) to have been in existence for at least two years and to have been registered as a trade union for at least one year; and

(*c*) to have had throughout the financial year preceding that in which the certificate is given at least two hundred and fifty ordinary members who have paid subscriptions for the whole of that year; and

(*d*) to have complied with any requirements imposed by or under the Indian Trade Unions Act, 1926, with respect to the inspection of its books by the registrar of trade unions and with respect to the audit of its accounts.

(3) The Governor, exercising his individual judgment, shall from time to time reconsider the circumstances of the registered trade unions operating in the Province and shall revoke certificates previously issued and grant new certificates, as the circumstances may appear to him to require.

(4) The Governor, exercising his individual judgment, may from time to time appoint a tribunal to perform the functions conferred on him by the foregoing provisions of this paragraph and while any such appointment is in force the said provisions shall have effect as if references therein to Governor were references to that tribunal.

25. (1) A person shall not be qualified to be included in the electoral roll for a labour constituency unless he has lived in the Province for a period of not less than six months in the year ending on the prescribed date.

(2) A person shall not be qualified to be included in the electoral roll for a labour constituency if he is employed wholly or mainly in a clerical, supervisory, recruiting or administrative capacity, and Acts of the Provincial Legislature and rules may contain provisions for defining the persons who are to be treated as falling within the provisions of this paragraph.

(3) A person shall not be qualified to be included in the electoral roll for the Railway Trade Union constituency unless he is employed within the Province.

(4) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for a trade union constituency if he—

(*a*) is, and has for at least twelve months been, a member, honorary member or official of a constituent trade union; and

(*b*) is not, in the case of an ordinary member of the union, in arrear with his subscription thereto;

and shall be qualified to be included in the electoral roll for a non-union labour constituency if on not less than one hundred and eighty days (whether successive or not) in the year ending on the prescribed date he has worked for remuneration at a rate not greater than three hundred rupees per month at one or more qualifying industrial establishments:

Provided that a person who in the said year has not worked as aforesaid at one qualifying industrial establishment on sufficient days to qualify him for inclusion in the electoral roll shall not by reason of his employment be included in the roll unless any prescribed requirements are complied with as to the making of an application for his enrolment and as to the production of evidence of his qualification.

26. (1) A person shall not be qualified to be included in the electoral roll for more than one labour constituency, and any person who would but for the provisions of this paragraph be qualified to be included in more than one such roll shall be entitled to elect in which of the rolls he shall be included.

(2) If at a general election a person votes in more than one labour constituency, his votes in all those constituencies shall be void.

27. A person shall not be qualified to be chosen to fill a labour seat unless he either—

(a) is entitled to vote in the choice of a member to fill that seat or some other labour seat; or

(b) is a member, honorary member or official of a recognized trade union operating in the Province and, in the case of an ordinary member of such a union, is not in arrear with his subscription thereto.

The University Seat.

28. (1) The seat to be filled by a representative of Universities shall be filled by an election in a constituency to be called the University constituency.

(2) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the said constituency, if he has a place of residence in India and either—

(a) is a member of the Senate of the Madras, the Andhra, or the Annamalai University; or

(b) has been for at least seven years a graduate of one of those Universities and was registered as such in the university register throughout the two years immediately preceding the prescribed date.

(3) A person shall not be qualified to be chosen to fill the said seat unless he is entitled to vote in the choice of a member to fill it.

General.

29. For the purposes of this Part of this Order, a person is deemed to reside in a house if he sometimes uses it as a sleeping place, and a person is not deemed to cease to reside in a house merely because he is absent from it or has another dwelling in which he resides, if he is at liberty to return to the house at any time and has not abandoned his intention of returning.

* * * *

THE SCHEDULES.

FIRST SCHEDULE.

Minor Amendments of the Fifth and Sixth Schedules to the Act.

1. In paragraph twelve of the Fifth Schedule to the Act (which relates to the qualifications to be possessed by members of a Provincial Legislative Assembly) for the words "shall not be qualified to hold a seat" there shall be substituted the words "shall not be qualified to be chosen to fill a seat."

2. In paragraph six of Part I of the Sixth Schedule to the Act (which relates to the preparation of electoral rolls) the words "or vote at any election to fill a general seat therein" shall be repealed.

3. At the end of paragraph seven of Part I of the Sixth Schedule to the Act, there shall be added the following provision:—

"If a person votes in more than one constituency in contravention of this paragraph, his votes in each of the constituencies shall be void."

4. For the purposes of any provision of the Sixth Schedule to the Act which requires that in certain cases a person shall not be included in an electoral roll unless an application is made by or on behalf of that person for that purpose, an application made before the date of this Order with a view to facilitating the provisional preparation of electoral rolls may be treated as a sufficient application.

SECOND SCHEDULE.

Madras Constituencies.

Name of constituency.	Extent of constituency.	Number of seats.	Scheduled caste seats.
	I.—General Constituencies.		
	(i) *Urban.*		
Madras City North..	Divisions 1 to 4, 9, 10 and 12 of the City of Madras as defined in Notfn. No. 866 dated 24th September 1919 and published on page 462 of Part I-A of *Fort St. George Gazette*, dated the 30th September 1919.	1	..
Madras City North-Central.	Divisions 5 to 8, 11 and 13 to 16 as defined in the said Notification, but including Fort St. George.	1	..
Madras City South-Central.	Divisions 17 to 23 as defined in the said Notification.	2	1
Madras City South.	Divisions 24 to 30 as defined in the said Notification.	1	..
Vizagapatam Town.	The municipality of Vizagapatam ..	1	..
Cocanada Town ..	The municipality of Cocanada	1	..
Bezwada *cum* Masulipatam Towns.	The municipalities of Bezwada and Masulipatam.	1	..
Guntur *cum* Tenali Towns.	The municipalities of Guntur and Tenali.	1	
Tanjore *cum* Kumbakonam Towns.	The municipalities of Tanjore and Kumbakonam.	1	..
Trichinopoly *cum* Srirangam Towns.	The municipalities of Trichinopoly and Srirangam.	1	..
Madura Town ..	The municipality of Madura	1	..
Tinnevelly *cum* Palamcottah Towns.	The municipalities of Tinnevelly and Palamcottah.	1	..
Coimbatore Town ..	The municipality of Coimbatore ..	1	..
Salem Town ..	The municipality of Salem	1	..
	(ii) *Rural.*		
Tekkali	Ichapur and Tekkali taluks	1	..
Chicacole	Chicacole, Narasannapeta and Patapatnam taluks.	2	1
Bobbili	Salur, Bobbili and Parvatipur taluks ..	1	..
Palakonda	Palakonda taluk	1	..
Vizianagram ..	Vizianagram division	2	..
Sarvasiddhi ..	Sarvasiddhi, Golgonda and Gudam taluks.	1	..
Viravalli	Viravalli taluk	1	..
Vizagapatam ..	Vizagapatam division excluding the municipality of Vizagapatam.	1	..
Rajahmundry ..	Rajahmundry and Bhadrachalam divisions.	2	..
Amalapuram ..	Amalapuram division	2	1
Cocanada	Cocanada and Peddapuram divisions, excluding the municipality of Cocanada.	2	1
Ellore	Ellore and Kovvur divisions	2	1
Bhimavaram ..	Bhimavaram division	1	..
Narasapur	Narasapur division	1	..

Name of constituency.	Extent of constituency.	Number of seats.	Scheduled caste seats.
	I. General Constituencies—*cont.*		
	(ii) *Rural*—cont.		
Bandar	Bandar and Gudivada divisions excluding the municipality of Masulipatam.	2	1
Bezwada	Nuzvid and Bezwada divisions excluding the municipality of Bezwada.	2	..
Guntur	Guntur division excluding the municipality of Guntur.	1	..
Narasaraopet ..	Narasaraopet division	1	..
Tenali	Tenali division excluding the municipality of Tenali.	1	..
Ongole	Ongole division	2	1
Gudur	Gudur division	2	1
Nellore	Nellore division	1	..
Kavali	Kavali division	1	..
Kandukur ..	Kandukur division	1	..
Rajampet	Rajampet division	1	..
Cuddapah	Jammalamadugu and Cuddapah divisions.	2	1
Penukonda ..	Penukonda division	2	1
Gooty	Gooty division	1	..
Anantapur ..	Anantapur division	1	..
Bellary	Bellary and Adoni divisions	2	1
Hospet	Hospet division	1	..
Kurnool	Kurnool and Dhone divisions	2	1
Nandyal	Nandyal and Markapur divisions	1	..
Chandragiri ..	Chandragiri and Kalahasti taluks ..	1	..
Tiruttani	Tiruttani and Puttur taluks	2	1
Madanapalle ..	Madanapalle division	1	..
Chittoor	Chittoor division	1	..
Conjeeveram ..	Conjeeveram taluk	1	..
Chingleput ..	Chingleput and Madurantakam taluks ..	2	1
Saidapet	Saidapet division	1	..
Tiruvallur ..	Tiruvallur division	2	1
Tirupattur (North Arcot).	Tirupattur taluk	1	..
Gudiyattam ..	Gudiyattam taluk	1	..
Vellore	Vellore division	1	..
Ranipet	Ranipet division	2	1
Cheyyar	Cheyyar division	1	..
Tiruvannamalai ..	Tiruvannamalai division	2	1
Tindivanam ..	Tindivanam and Gingee taluks	2	1
Villupuram ..	Villupuram taluk	1	..
Chidambaram ..	Chidambaram division	2	1
Cuddalore	Cuddalore division	1	..
Tirukkoyilur ..	Tirukkoyilur division	2	1
Tanjore	Tanjore and Pattukkottai divisions excluding the municipality of Tanjore.	2	1
Kumbakonam ..	Kumbakonam division excluding the municipality of Kumbakonam.	1	..
Mayavaram ..	Mayavaram division	1	..
Mannargudi ..	Mannargudi division	2	1
Negapatam ..	Negapatam division	1	..
Trichinopoly ..	Trichinopoly and Karur divisions excluding the municipalities of Trichinopoly and Srirangam.	2	..
Musiri	Musiri division	1	..
Ariyalur	Ariyalur division	2	1
Dindigul	Dindigul taluk	1	..
Palni	Kodaikanal, Palni and Nilakkottai taluks.	2	1
Periakulam	Periakulam taluk	1	..
Tirumangalam ..	Tirumangalam taluk	1	..
Melur	Melur division excluding the municipality of Madura.	1	..
Srivilliputtur ..	Srivilliputtur taluk	1	..

Name of constituency.	Extent of constituency.	Number of seats.	Scheduled caste seats.
	I.—General Constituencies—*cont.*		
	(ii) *Rural*—cont.		
Sattur	Sattur and Aruppukkottai taluks ..	2	1
Ramnad	Ramnad division	1	..
Tirupattur (Ramnad).	Tirupattur taluk	1	..
Sivaganga	Sivaganga and Tiruvadanai taluks ..	1	..
Tuticorin	Tuticorin division	1	..
Koilpatti	Koilpatti division	2	1
Shermadevi ..	Shermadevi division	1	..
Tinnevelly ..	Tinnevelly division excluding the municipalities of Tinnevelly and Palamcottah.	1	..
Pollachi	Pollachi and Udamalpet taluks	2	1
Palladam	Palladam taluk	1	..
Erode	Erode taluk	1	..
Dharmapuram ..	Dharmapuram taluk	1	..
Gobichettipalayam.	Gobichettipalayam and Kollegal divisions.	2	..
Coimbatore ..	Coimbatore division excluding the municipality of Coimbatore.	1	..
The Nilgiris ..	Nilgiris district	1	..
Hosur	Hosur division	1	..
Dharmapuri ..	Dharmapuri division	1	..
Tiruchengode ..	Tiruchengode taluk	1	..
Omalur	Omalur taluk	1	..
Namakkal	Namakkal division	2	1
Salem	Salem division excluding the municipality of Salem.	1	..
Coondapoor ..	Coondapoor division	2	1
Puttur	Puttur division	1	..
Mangalore	Mangalore division	1	..
Chirakkal	Chirakkal taluk	1	..
Kottayam	Kottayam and Wynad taluks	1	..
Malappuram ..	Malappuram division	2	1
Calicut	Calicut taluk	1	..
Kurumbranad ..	Kurumbranad taluk	1	..
Palghat	Palghat taluk	1	..
Ponnani	Ponnani taluk and Cochin division ..	1	..

II.—Muhammadan Constituencies.

Name of constituency.	Extent of constituency.	Number of seats.
	(i) *Urban.*	
Madras City	The City of Madras as defined in section 3 (9) of the Madras City Municipal Act, 1919, but including Fort St. George.	1
Calicut *cum* Cannanore *cum* Tellicherry Towns.	The municipalities of Calicut, Cannanore and Tellicherry.	1
	(ii) *Rural.*	
Vizagapatam *cum* East Godavari.	The districts of Vizagapatam and East Godavari.	1
West Godavari *cum* Kistna.	The districts of West Godavari and Kistna.	1
Guntur	Guntur district	1
Nellore	Nellore district	1
Cuddapah	Cuddapah district	1
Kurnool	Kurnool district	1
Bellary	Bellary district	1
Anantapur	Anantapur district	1
Chittoor	Chittoor district	1
Chingleput *cum* South Arcot.	The districts of Chingleput and South Arcot.	1

Name of constituency.	Extent of constituency.	Number of seats.
	II.—MUHAMMADAN CONSTITUENCIES—*cont.*	
	(ii) *Rural*—cont.	
North Arcot	North Arcot district	1
Tanjore	Tanjore district	1
Trichinopoly	Trichinopoly district	1
Madura	Madura district	1
Ramnad	Ramnad district	1
Tinnevelly	Tinnevelly district	1
Salem *cum* Coimbatore *cum* the Nilgiris.	The districts of Salem, Coimbatore and the Nilgiris.	1
Chirakkal	Chirakkal taluk excluding the Cannanore Municipality.	1
Kottayam	Kottayam and Wynad taluks excluding the Tellicherry Municipality.	1
Calicut	Calicut division excluding the Calicut Municipality.	1
Malappuram	Malappuram division	2
Palghat	Palghat and Cochin divisions	2
Puttur	Puttur division	1
Mangalore	Mangalore and Coondapoor divisions ..	1
	III.—WOMEN'S CONSTITUENCIES.	
	(i) *General Urban.*	
Madras City	The City of Madras as defined in section 3 (9) of the Madras City Municipal Act, 1919, but including Fort St. George.	1
Ellore Town	Ellore Municipality	1
Tellichery *cum* Calicut Towns.	The Municipalities of Tellicherry and Calicut.	1
	(ii) *General Rural.*	
Cuddalore	Cuddalore division including the Municipality.	1
Bellary	Bellary taluk including the Municipality ..	1
Dindigul	Dindigul taluk including the Municipality.	1
	(iii) *Muhammadan Urban.*	
Madras City	The City of Madras as defined in section 3 (9) of the Madras City Municipal Act, 1919, but including Fort St. George.	1
	(iv) *Indian Christian Urban.*	
Tinnevelly *cum* Palamcottah *cum* Tuticorin Towns.	The Municipalities of Tinnevelly, Palamcottah and Tuticorin.	1
	IV.—ANGLO-INDIAN CONSTITUENCY.	
Anglo-Indian	The whole Province	2
	V.—EUROPEAN CONSTITUENCY.	
European	The whole Province	3
	VI.—INDIAN CHRISTIAN CONSTITUENCIES.	
Northern Circars ..	The districts and agencies of Vizagapatam and East Godavari, and the districts of West Godavari and Kistna.	1
Guntur *cum* Nellore ..	The districts of Guntur and Nellore ..	1
Central districts	The districts of Cuddapah, Kurnool, Bellary, Anantapur, Chittoor and North Arcot.	1

Name of constituency.	Extent of constituency.	Number of seats.
	VI. Indian Christian Constituencies—*cont.*	
Madras *cum* Chingleput.	The districts of Madras and Chingleput ..	1
South Arcot *cum* Trichinopoly *cum* Salem *cum* Coimbatore.	The districts of South Arcot, Trichinopoly, Salem and Coimbatore.	1
Tanjore *cum* Madura *cum* Ramnad.	The districts of Tanjore, Madura and Ramnad.	1
Tinnevelly	The Tinnevelly district	1
West Coast	The districts of the Nilgiris, Malabar and South Kanara.	1
	VII.—Backward Areas and Tribes Constituency.	
Backward Tribal ..	The taluks of Golgonda, Gudem, Srungavarapukota and Yellavaram.	1
	VIII.—Commerce, Industry and Planting Constituencies.	
European Commerce ..	The Madras Chamber of Commerce and the Madras Trades' Association.	3
Madras Planters.. ..	The United Planters' Association of Southern India Associations affiliated to it.	1
The Southern Indian Chamber of Commerce.	The Southern Indian Chamber of Commerce.	1
The Nattukkottai Nagarathars' Association.	The Nattukkottai Nagarathars' Association.	1
	IX.—Landholders' Constituencies.	
Northern Landholders I.	The districts of Vizagapatam and East Godavari.	1
Northern Landholders II.	The districts of West Godavari, Kistna and Guntur.	1
Northern Central Landholders.	The districts of Nellore, Chingleput, Chittoor, Cuddapah, Madras and Anantapur.	1
Southern Central Landholders.	The districts of North Arcot, South Arcot, Coimbatore, Salem and Trichinopoly.	1
Southern Landholders ..	The districts of Tanjore, Madura, Ramnad and Tinnevelly.	1
West Coast Landholders.	The districts of Malabar, the Nilgiris and South Kanara.	1
	X.—Labour Constituencies.	
	(i) *Trade Union.*	
Railway Trade Union ..	Registered railway trade unions operating in the Province.	1
Textile Workers Trade Union.	Registered trade unions of textile workers operating in the City of Madras.	1
	(ii) *Non-Union Labour.*	
Textile Workers	Textile mills in the districts of Coimbatore and Malabar.	1
The Madras City Dock and Factory Labour (excluding textile and railway Labour).	Madras Harbour and perennial factories (other than textile mills and railway workshops) situated in the city of Madras and the Chingleput district.	1
Vizagapatam *cum* East Godavari Dock and Factory Labour.	Vizagapatam Harbour and perennial factories (other than railway workshops) situated in the districts of Vizagapatam and East Godavari.	1
West Godavari *cum* Kistna *cum* Guntur Factory Labour.	Perennial factories (other than railway workshops) situated in the districts of West Godavari, Kistna and Guntur.	1
	XI.—University Constituency.	
University	Non-territorial	1

THIRTEENTH SCHEDULE.

Backward Tribes.

PART I.

MADRAS.

1. Bagata.
2. Bhottadas—Bodo Bhottada, Muria Bhottada and Sano Bhottada.
3. Bhumias—Bhuri Bhumia and Bodo Bhumia.
4. Bissoy—Barangi Jodia, Bennangi, Daduva, Frangi, Hollar, Jhoriya, Kollai, Kondo, Paranga, Pengajodia, Sodo Jodia and Takora.
5. Dhakkada.
6. Dombs—Andhiya Dombs, Audiniya Dombs, Chonel Dombs, Christian Dombs, Mirgani Dombs, Oriya Dombs, Ponaka Dombs, Telaga and Ummia.
7. Gadabas—Boda Gadaba, Cerllam Gadaba, Franji Gadaba Jodia Gadaba, Olaro Gadaba, Pangi Gadaba and Paranga Gadaba.
8. Ghasis—Boda Ghasis and San Ghasis.
9. Gondi—Modya Gond and Rajo Gond.
10. Goudus—Bato, Bhirithya, Dudhokouria, Hato, Jatako and Joria.
11. Kosalya Goudus—Bosothoriya Goudus, Chitti Goudus, Dangayath Goudus, Doddu Kamariya, Dudu Kamaro, Ladiya Goudus and Pulosoriya Goudus.
12. Magatha Goudus—Bernia Goudu, Boodo Magatha, Dongayath Goudu, Ladya Goudu, Poona Magatha and Sana Magatha.
13. Serithi Goudus.
14. Holva.
15. Jadapus.
16. Jatapus.
17. Kammaras.
18. Khattis—Khatti, Kommaro and Lohara.
19. Kodu.
20. Kommar.
21. Konda Dhoras.
22. Konda Kapus.
23. Kondareddis.
24. Kondhs—Desaya Kondhs, Dongria Kondhs, Kuttiya Kondhs, Tikiria Kondhs and Yenity Kondhs.
25. Kotia—Bartika, Bentho Oriya, Dhulia or Dulia, Holva, Paiko, Putia, Sanrona and Sidho Paiko.
26. Koya or Goud with its sub-sects, Raja or Rasha koyas, Lingadhari, koyas, Koyas (ordinary) and Kottu koyas.
27. Madigas.
28. Malas or Agency Malas or Valmikies.
29. Malis—Korchia Malis, Paiko Malis, and Pedda Malis.
30. Mauno.
31. Manna Dhora.
32. Mukha Dhora—Nooka Dhora.
33. Muli or Muliya.
34. Muria.
35. Ojulus or Metta Komsalies.
36. Omanaito.
37. Paigarapur.
38. Palasi.
39. Palli.
40. Pentias.
41. Porjas—Bodo, Bonda, Daruva, Didua, Jodia, Mondili, Pongu, Pydi and Saliya.
42. Reddi Dhoras.
43. Relli or Sachandi.
44. Ronas.
45. Savaras—Kapu Saravas, Khutto Savaras and Maliya Savaras.

THE GOVERNMENT OF INDIA (PROVINCIAL LEGISLATIVE COUNCILS) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE.

The 30th day of April 1936.

Present,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section two hundred and ninety-one of, and the Fifth Schedule to, the Government of India Act, 1935 (hereafter in this Order referred to as "the Act") His Majesty in Council

is empowered to make provision with respect to certain matters connected with Provincial Legislative Councils:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of sub-section (1) of section three hundred and nine of the Act and an address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the powers conferred on him as aforesaid and of all other powers enabling Him in that behalf, is pleased by and with the advice of his Privy Council to order, and it is hereby ordered, as follows:—

PART I.

INTRODUCTORY AND GENERAL.

Introductory.

1. This Order may be cited as "The Government of India (Provincial Legislative Councils) Order, 1936."

2.—(1) In this Order except where the context otherwise requires—

"Executive Council" means the Executive Council of the Governor-General or a Governor;

"Legislature" includes any Legislature or Legislative Council under the Government of India Act, or any Act repealed by that Act;

"Minister" means a Minister under the Act or the Government of India Act;

"prescribed," except in the phrase "the prescribed date," means prescribed by an Act of the Provincial Legislature or by rules;

"rules" means rules made by the Governor under paragraph twenty of the Fifth Schedule to the Act;

"total income" means total income as computed for the purposes of the Indian Income-tax Act, 1922;

and, subject as aforesaid and to any other provisions of this Order, expressions to which a meaning is assigned by the Sixth Schedule to the Act, either generally or in relation to any particular Province, have, except where the context otherwise requires, the same meanings for the purposes of this Order, either generally or in relation to that Province, as the case may be.

(2) The fact that one of two constituencies is an urban, and the other a rural, constituency shall not prevent them being deemed to be constituencies of same communal description, if they are both general constituencies, or constituencies assigned to a specified community, and the expression "seat of the same communal description" shall be construed accordingly.

(3) For the purposes of any reference in this Order to persons assessed to income-tax in any financial year and having in the year in respect of which the assessment was made a total income of not less than a specified amount, a person who is a partner in a firm which is assessed to income-tax shall be deemed to be himself assessed in respect of his share of the firm's income on which income-tax is so assessed, and the amount to be included in his total income in respect of that share shall be such sum as may be certified in the prescribed manner.

(4) Any reference in this Order to all or any of the provisions of any Indian Act shall be construed as a reference to those provisions as amended by or under any other Act, or, if those provisions are repealed and re-enacted with or without modification, to the provisions so re-enacted.

(5) If the boundaries of any district or other administrative area mentioned in this Order are altered, any reference in this Order to that district or area shall, as from such date or dates as may be fixed by the Governor, exercising his individual judgment, either for all purposes, or for particular purposes, of this Order, be taken as a reference to the district or area as altered.

(6) If any question arises with respect to any qualification dependent on the holding of a title, order or decoration, the question shall be referred to the Governor-General in his discretion and his decision shall be final.

(7) The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Delimitation of Territorial Constituencies.

3. (1) The territorial constituencies for the election of persons to fill seats in the Provincial Legislative Councils shall be as specified in the tables in the Schedule to this Order.

(2) Any reference in this Part of this Order to a territorial constituency shall be construed as a reference to one of the territorial constituencies aforesaid, and any reference in any of the subsequent Parts of this Order to a territorial constituency shall be construed as a reference to one of the said constituencies for the Province to which the Part in question relates.

(3) In the case of Madras and Bombay the number of seats to be filled by elections in the various territorial constituencies shall be as specified in the third column of Parts I and II of the Schedule to this Order.

In the case of Bengal, the United Provinces, Bihar and Assam one seat shall be filled by an election in each constituency, except that in Bengal three seats shall be so filled in the European constituency.

4. There shall be an electoral roll for every territorial constituency, and no person who is not, and except as expressly provided by the Fifth Schedule to the Act and this Order, every person

who is, for the time being included in the electoral roll for any such constituency shall be entitled to vote in that constituency.

5. The electoral rolls for the territorial constituencies shall be made up and from time to time in whole or in part revised by reference to such date, in this Order referred to as " the prescribed date," as may be directed in each case by the Governor, exercising his individual judgment.

6. No person shall be included in the electoral roll for any territorial constituency unless he has attained the age of twenty-one years and is either—

(*a*) a British subject; or

(*b*) the Ruler or a subject of a Federated State; or

(*c*) if and so far as it is so prescribed with respect to any Province, and subject to any prescribed conditions, the Ruler or a subject of any other Indian State.

7. No person shall be included in the electoral roll for, or vote at any election in, any territorial constituency if he is of unsound mind and stands so declared by a competent Court.

8. No person shall be included in the electoral roll for a Muhammadan constituency, a European constituency or an Indian Christian constituency unless he is a Muhammadan, a European or an Indian Christian, as the case may be.

9. No person who is or is entitled to be included in the electoral roll for any Muhammadan constituency, European constituency or Indian Christian constituency in any Province shall be included in the electoral roll for a general constituency in that Province.

10. Notwithstanding anything in the Indian Income-tax Act, 1922, it shall be the duty of the appropriate Income-tax Officers to give to any person charged by law with the duty of enquiring into the qualifications of electors such information as is necessary for the purpose of enabling him to discharge that duty.

11. (1) No person shall in any Province—

(*a*) at the first elections held for the purpose of constituting the Legislative Council of that Province; or

(*b*) at the elections held in every third year thereafter to fill the seats of members retiring on the expiration of their respective terms of office,

vote in more than one territorial constituency, and if any person votes in more than one territorial constituency in contravention of the provisions of this paragraph, his votes in all those constituencies shall be void.

(2) In each Province such provisions, if any, as may be prescribed shall have effect for the purpose of preventing persons being included in the electoral roll for more than one territorial constituency.

(3) No person shall at any election vote more than once in the same territorial constituency and, if he does so, all his votes in that constituency shall be void.

12. No person shall be included in the electoral roll for, or vote at any election in, a territorial constituency if he is for the time being disqualified from voting under the provisions of any such Order in Council, Act of the Provincial Legislature or rules made by the Governor as may be made or passed under the Act with respect to corrupt practices and other offences in connexion with elections, and the name of any person who becomes so disqualified shall forthwith be struck off all the electoral rolls for territorial constituencies in which it may be included.

13. No person shall vote at an election in a territorial constituency if he is for the time being undergoing a sentence of transportation, penal servitude or imprisonment.

14. The following provisions shall have effect with respect to the enfranchisement of women in respect of the qualifications of their husbands :—

(*a*) a woman who, at the date of the death of her husband, is included in an electoral roll for a territorial constituency by virtue of his qualifications shall, notwithstanding anything in the subsequent provisions of this Order, continue to be on the roll for that constituency unless she remarries or becomes disqualified under the foregoing provisions of this Order for inclusion in that roll :

(*b*) not more than one woman shall, at any one time, appear on the electoral rolls for the territorial constituencies of a Province in respect of the qualifications of any particular man, and any question which of several women is to be selected for inclusion shall be determined in the prescribed manner :

Provided that, if a woman, who is entitled by virtue of sub-paragraph (*a*) of this paragraph to remain on the roll of a territorial constituency, changes her place of residence, then, if she so desires, she may, on any subsequent revision of the roll, be transferred to the roll of such other territorial constituency as may be appropriate.

15. For the purposes of this Order any property owned, held or occupied or payment made by, or assessment made on, a person as a trustee, guardian, administrator or receiver, or in any other fiduciary capacity, shall, except as otherwise expressly provided in this Order, be left out of account.

Qualifications of Candidates.

16. (1) The provisions of this paragraph shall have effect with respect to the qualifications to be possessed by members of the Legislative Council of a Province.

(2) A person shall not be qualified to be chosen to fill a seat which is filled by an election in a territorial constituency unless he is entitled to vote in the choice of a member to fill that seat or any other seat of the same communal description in the same Council.

(3) A person shall not be qualified to be chosen to fill a seat to be filled by a person elected by the members of the Legislative Assembly of a Province unless he is entitled to vote in the choice of a member to fill some seat in the Legislative Council of that Province.

(4) A person shall be qualified to be chosen to fill a seat which is to be filled by a person chosen by the Governor in his discretion if he is resident in the Province and is not disqualified to hold a seat by any of the provisions of the Act.

General.

17. (1) The dates on which nominations are to be made and scrutinized, polls held and other acts done in connexion with elections to a Provincial Legislative Council shall be fixed by the Governor in his discretion.

(2) Nothing in this paragraph shall be construed as preventing Acts of the Provincial Legislature or rules from making general provision with respect to the intervals which are to elapse between the successive stages of an election.

18. At an election in a territorial constituency where more than one seat is to be filled on a poll a voter shall have as many votes as there are seats to be filled and may give all those votes to any one candidate, or may distribute them between such candidates in such manner as he thinks fit:

Provided that in the European constituency in Bengal a voter shall not give more than one vote to any one candidate.

19. If, when a poll has been taken at an election, an equality of votes is found to exist between any candidates, and the addition of one vote will entitle any of the candidates to be declared elected, one additional vote shall be given by the Returning Officer to the candidate, or, as the case may be, the candidates, selected by lot drawn in the presence of the Returning Officer in such manner as he may determine.

20. At any election by the members of a Provincial Legislative Assembly to fill seats in the Provincial Legislative Council, the returning officer shall be nominated by the Governor in his discretion, and nominations shall be made and scrutinised, polls held, and other acts done in connexion with the election to, by, or before the returning officer, or persons who are under his control or have been placed thereunder for the purposes of the election.

21. If a person is elected to more than one seat in a Provincial Legislative Council, then, unless within the prescribed time he resigns all but one of the seats, all the seats shall become vacant.

22. The Governor of a Province may at any time vary the name assigned to a territorial constituency if for any reason he deems it expedient so to do.

23. Anything which under the provisions of the Act, or of this Order, is required or authorised to be done by, to or before the Governor of a Province in connection with the preparation of

electoral rolls or the holding of elections, or otherwise for the purpose of constituting the Legislative Council of the province in due time (whether or not the Governor is to act in his discretion or to exercise his individual judgment) shall before the commencement of Part III of the Act, be done by, to or before the Governor in Council.

PART II.

Madras.

Requirement as to Residence.

1. No person shall be qualified to be included in the electoral roll for territorial constituency unless he has resided in a house in the constituency for a period of not less than one hundred and twenty days in the previous financial year.

A person is deemed to reside in a house if he sometimes uses it as a sleeping place, and a person is not deemed to cease to reside in a house merely because he is absent from it or has another dwelling in which he resides, if he is at liberty to return to the house at any time and has not abandoned his intention of returning.

Ordinary Qualifications.

2. Subject to the provisions of Part I of this Order and to any overriding provisions of this Part of this Order, a person shall be qualified to be included in the electoral roll for any territorial constituency if he either—

(*a*) was in the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than seven thousand five hundred rupees; or

(*b*) was on the last day of the previous fasli year the holder of an estate in the Province of which the annual income is not less than one thousand five hundred rupees; or

(*c*) was on the last day of the previous fasli year a registered inamdar, ryotwari pattadar, or occupancy ryot under the Madras Estates Land Act, 1908, in respect of land in the Province of which the annual rent value is not less than three hundred rupees; or

(*d*) is in receipt from any Government in British India of a malikhana allowance, the annual amount of which is not less than five hundred rupees; or

(*e*) holds any title, order or decoration conferred by or on behalf of His Majesty, not being lower than Diwan Bahadur, Sardar Bahadur, Khan Bahadur, Rai Bahadur, or Rao Bahadur; or

(*f*) has been awarded by any Government in British India a civil, military or political pension of not less than two hundred and fifty rupees per month; or

(*g*) is or has been either—

(i) a non-official member of any Legislature in British India; or

(ii) a member of an Executive Council or a Minister in British India; or

(iii) a Chancellor, Pro-Chancellor, Vice-Chancellor, Pro-Vice-Chancellor, Fellow or Honorary Fellow of, or a member of the Senate or Court of, any University constituted by law in British India; or

(iv) a judge of the Federal Court or any High Court, Chief Court or Judicial Commissioner's Court in British India; or

(v) the mayor or sheriff of Madras, Calcutta or Bombay; or

(vi) the non-official president of a district board in the Province, or the non-official chairman of a municipal Council in the Province; or

(vii) the non-official president of any central bank or banking union which is a registered society within the meaning of section two of the Madras Co-operative Societies Act, 1932, and does not operate solely outside the Province.

Additional Qualifications for Women.

3. Subject as aforesaid, a person who is a woman shall also be qualified to be included in the electoral roll for any territorial constituency if she is the wife of a person who either—

(*a*) was in the previous financial year assessed to income-tax and had in the year in respect of which the assessment was made a total income of not less than twenty thousand rupees; or

(*b*) was on the last day of the previous fasli year the holder of an estate in the Province of which the annual income is not less than three thousand rupees; or

(*c*) was on the last day of the previous fasli year a registered inamdar, ryotwari pattadar, or occupancy ryot under the Madras Estates Land Act, 1908, in respect of land in the Province of which the annual rent value is not less than one thousand five hundred rupees; or

(*d*) is in receipt from any Government in British India of a malikhana allowance, the annual amount of which is less than one thousand five hundred rupees; or

(*e*) holds any such title, order or decoration, or has been awarded any such pension as is mentioned in sub-paragraphs (*e*) and (*f*) of the last preceding paragraph.

Special Qualifications for Scheduled Castes.

4. Subject as aforesaid, a person who is a member of the scheduled castes shall also be qualified to be included in the electoral roll for any territorial constituency if he either—

(*a*) was in the previous financial year assessed to income-tax; or

(*b*) was on the last day of the previous fasli year the holder of an estate in the Province of which the annual rent value is not less than one hundred rupees; or

(c) was on the last day of the previous fasli year a registered inamdar, ryotwari pattadar, or occupancy ryot under the Madras Estates Land Act, 1908, in respect of land in the Province of which the annual rent value is not less than fifty rupees; or

(d) was throughout the previous fasli year a kanamdar, or a kuzhikanamdar or a verumpattamdar having fixity of tenure, each of these terms having the meaning assigned to it in the Malabar Tenancy Act, 1929; or

(e) was throughout the previous fasli year a mortgagee with possession or lessee, under a registered instrument, of immovable property in the Province (other than house property) of an annual rent value of not less than one hundred rupees; or

(f) was on the last day of the previous fasli year registered jointly with the proprietor under section fourteen of the Malabar Land Registration Act, 1895, as an occupant of land of which the annual rent value is not less than one hundred rupees; or

(g) held on the last day of the previous fasli year as ryot or as tenant under a landholder land in the Province of which the annual rent value is not less than one hundred rupees; or

(h) was assessed in the Province in the previous financial year to an aggregate amount of not less than twenty rupees in respect of all or any of the following taxes, namely, property tax, profession tax and house-tax.

Supplementary.

5. (1) Subject to the provisions of this paragraph, property held jointly by, and assessments made jointly on, more than one person shall be left out of account for the purposes of this Order.

(2) Where any such property or assessments would qualify a person if they had been held by or made on him solely, then, subject to the provisions of Part I of this Order and to any overriding provisions of this Part of this Order, one of those persons shall be qualified in respect of the property or assessments and that person shall be—

(a) if the property is held by, or the assessments made on a Hindu joint family, the manager thereof;

(b) if the property is held by, or the assessments made on, any other joint family, the member thereof authorised in that behalf by the family themselves;

(c) in any other case, the person authorised in that behalf by a majority of the persons by or on whom the property is held or the assessments made.

(3) Nothing in this paragraph affects the provisions of Part I of this Order relating to partners in firms assessed to income-tax.

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THE SCHEDULE.

PART I.

Madras Constituencies.

Name of constituency.	Extent of constituency.	Number of seats.
I.—General Constituencies.		
Madras City	Madras as defined in section 3 (9) of the Madras City Municipal Act, 1919, but including Fort St. George.	2
Vizagapatam	The Vizagapatam district	3
East Godavari	The East Godavari district	3
West Godavari	The West Godavari district	2
Kistna	The Kistna district	2
Guntur	The Guntur district	1
Nellore	The Nellore district	1
Cuddapah	The Cuddapah district	1
Anantapur	The Anantapur district	1
Bellary	The Bellary district	1
Kurnool	The Kurnool district	1
Chingleput	The Chingleput district..	1
Chittoor	The Chittoor district	1
North Arcot	The North Arcot district	1
South Arcot	The South Arcot district	1
Tanjore	The Tanjore district	3
Trichinopoly	The Trichinopoly district	1
Madura	The Madura district	1
Ramnad	The Ramnad district	2
Tinnevelly	The Tinnevelly district	1
Salem	The Salem district	1
Coimbatore *cum* the Nilgiris ..	The districts of Coimbatore and the Nilgiris.	1
Malabar	The Malabar district	2
South Kanara	The South Kanara district	1
II.—Muhammadan Constituencies.		
Madras North	The districts of Vizagapatam, East Godavari, West Godavari, Kistna, Guntur, Nellore, Cuddapah, Anantapur, Bellary, Kurnool and Chittoor.	1
Madras North Central.. ..	The districts of Madras, Chingleput, North Arcot and South Arcot.	1
Madras South Central.. ..	The districts of Tanjore and Trichinopoly.	2
Madras South	The districts of Madura, Ramnad, Tinnevelly, Salem, Coimbatore and the Nilgiris.	1
Madras West Coast	The districts of Malabar and South Kanara.	2
III.—European Constituency.		
European	The whole Province	1
IV.—Indian Christian Constituency.		
Indian Christian	The whole Province	3

* * * * *

THE GOVERNMENT OF INDIA (SCHEDULED CASTES) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE.

The 30th day of April 1936.

Present,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by certain provisions in the First, Fifth and Sixth Schedules to the Government of India Act, 1935, His Majesty in Council is empowered to specify the castes, races or tribes or parts of or groups within castes, races or tribes which are to be treated as the scheduled castes for the purposes of those Schedules :

AND WHEREAS a draft of this Order was laid before Parliament in accordance with the provisions of subsection (1) of section three hundred and nine of the said Act and an Address has been presented by both Houses of Parliament praying that an Order may be made in the terms of this Order :

NOW, THEREFORE, His Majesty, in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered, as follows :—

1. This Order may be cited as "The Government of India (Scheduled Castes) Order, 1936."

2. Subject to the provisions of this Order, for the purposes of the First, Fifth and Sixth Schedules to the Government of India Act, 1935, the castes, races or tribes, or parts of or groups within castes, races or tribes specified in Parts I to IX of the Schedule to this Order shall, in the Provinces to which those Parts respectively relate, be deemed to be scheduled castes so far as regards members thereof resident in the localities specified in relation to them respectively in those Parts of that Schedule.

3. Notwithstanding anything in the last preceding paragraph—

(*a*) no Indian Christian shall be deemed to be a member of a scheduled caste ;

(*b*) in Bengal no person who professes Buddhism or a tribal religion shall be deemed to be a member of any scheduled caste ;

and if any question should arise as to whether any particular person does or does not profess Buddhism or a tribal religion, that question shall be determined according to the answers which he may make, in the prescribed manner, to such questions as may be prescribed.

4. In this Order the expression "Indian Christian" has the same meaning as it has for the purposes of Part I of the First Schedule to the Government of India Act, 1935, and the expression "prescribed" means prescribed by rules made by the Governor of Bengal, exercising his individual judgment.

5. Any reference in the Schedule to this Order to any division, district, subdivision, tahsil or municipality shall be construed as a reference to that division, district, subdivision, tahsil or municipality as existing on the first day of July, nineteen hundred and thirty-six.

SCHEDULE.

PART I—MADRAS.

(1) Scheduled castes throughout the Province :—

Adi-Andhra	Gosangi	Paidi
Adi-Dravida	Haddi	Painda
Adi-Karnataka	Hasla	Paky
Ajila	Holeya	Pallan
Arunthuthiyar	Jaggali	Pambada
Baira	Jambuvulu	Pamidi
Bakuda	Kalladi	Panchama
Bandi	Kanakkan	Paniyan
Bariki	Kodalo	Panniandi
Battada	Koosa	Paraiyan
Bavuri	Koraga	Paravan
Bellara	Kudumban	Pulayan
Byagari	Kuravan	Puthirai Vannan
Chachati	Madari	Raneyar
Chakkiliyan	Madiga	Relli
Chalavadi	Maila	Samagara
Chamar	Mala	Samban
Chandala	Mala Dasu	Sapari
Cheruman	Matangi	Semman
Dandasi	Moger	Thoti
Devendrakulathan	Muchi	Tiruvalluvar
Ghasi	Mundala	Valluvan
Godagali	Nalakeyava	Valmiki
Godari	Nayadi	Vettuvan
Godda	Pagadai	

(2) Scheduled castes throughout the Province except in any special constituency constituted under the Government of India Act, 1935, for the election of a representative of backward areas and backward tribes to the Legislative Assembly of the Province :—

Aranadan	Kattunayakan	Kuruman
Dombo	Kudiya	Malasar
Kadan	Kudubi	Mavilan
Karimpalan	Kurichchan	Pano

* * * * *

MADRAS : PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

RULES FOR THE CONDUCT OF ELECTIONS FOR THE CONSTITUENCIES OF THE MADRAS LEGISLATIVE ASSEMBLY.

THE MADRAS (PROHIBITION OF SIMULTANEOUS MEMBERSHIP) RULES, 1936.

PRICE, 4 *annas*.]

RULES FOR THE CONDUCT OF ELECTIONS FOR THE CONSTITUENCIES OF THE MADRAS LEGISLATIVE ASSEMBLY.

In exercise of the powers conferred by paragraph twenty of the Fifth Schedule to the Government of India Act, 1935, read with paragraph twenty-six of Part I of the Government of India (Provincial Legislative Assemblies) Order, 1936, and sub-paragraph (5) of paragraph three of Part I and paragraph six of Part III of the Government of India (Provincial Elections) (Corrupt Practices and Election Petitions) Order, 1936, and of all other powers enabling him in that behalf, the Governor of Madras in Council is hereby pleased to make the following rules for the conduct of elections to the Madras Legislative Assembly.

Introductory.

1. These rules may be called the Madras Legislative Assembly Electoral (Elections and Election Petitions) Rules, 1936.

2. In these rules, unless there is anything repugnant in the subject or context,—

(*a*) (1) 'the Act' means the Government of India Act, 1935;

(2) the 'Assembly Order' means the Government of India (Provincial Legislative Assemblies) Order, 1936;

(3) 'Certified copy' of an entry in the electoral roll means an extract from the final electoral roll obtained from the registration officer concerned and duly authenticated by him;

(4) the 'Corrupt Practices Order' means the Government of India (Provincial Elections) (Corrupt Practices and Election Petitions) Order, 1936;

(5) 'Gazette' means the *Fort St. George Gazette*;

(6) 'Returned Candidate' means a candidate who has been duly elected and whose name has been published in the manner prescribed in these rules;

(7) 'signed' in relation to a person who is unable to write his name, means authenticated by making a mark; and

(*b*) where power is conferred to fix any date, it shall be deemed to include a power to postpone such date from time to time.

3. If any difficulty arises as to the holding of any election under the provisions of these rules or of the Act, or of any Order or other rule made under the Act or of any Act of the Provincial Legislature, the Governor may by order do anything not inconsistent with such provisions which appears to him to be necessary for the proper holding of the election.

4. If any question arises as to the interpretation of these rules otherwise than in connexion with an election inquiry held under

the Act or under any Order or rule made thereunder or under an Act of the Provincial Legislature, the question shall be referred for the decision of the Governor and his decision shall be final.

5. (1) The functions devolving on the Governor under these rules shall, before the commencement of Part III of the Act, be exercised by the Governor in Council.

(2) After the commencement of the said Part, the functions devolving on the Governor under rules 3, 4, 8 and 9, sub-rule (1) of rule 12, rules 32 and 96, clause (*b*) of rule 105, sub-rule (1) of rules 109 and 110, sub-rules (1) and (2) of rule 112 and rule 116 shall be exercised by the Governor acting in his individual judgment:

Provided that any power conferred by the provisions aforesaid to fix or postpone any date shall be exercised by the Governor acting in his discretion.

6. For the purposes of clause (*a*) of paragraph one of the Fifth Schedule to the Act, the Ruler of an Indian State or a subject of any such State shall be qualified to be chosen to fill a seat in the Legislative Assembly.

7. No act done or proceedings taken under, or with reference to, these rules shall be called in question by means of a suit or otherwise in a court of law.

Constitution of the Assembly.

8. (1) A general election shall be held for the purpose of constituting the Assembly in time to be ready to meet by the commencement of Part III of the Act and thereafter, a general election shall be held as often as may be necessary for the constitution of a new Assembly on the expiration of the duration or on the dissolution of the previous Assembly.

(2) For the purposes mentioned in sub-rule (1) the Governor shall, by a notification in the Gazette, call upon members of the Scheduled castes who are entitled to vote in constituencies in which a seat is reserved for members of those castes to elect at a primary election under these rules four candidates for the seat so reserved within such time as may be specified in that notification, and, after the declaration of the results of all such primary elections, the Governor shall, by another notification in the Gazette, call upon every constituency including the constituencies in which a seat is reserved for members of the Scheduled castes, to elect a member or members in accordance with these rules within such time as may be specified in such notification:

Provided that, if the Governor thinks fit, the first of the said notifications may be issued at any time not being more than four months prior to the date on which the duration of the Assembly will expire in the ordinary course:

Provided also that where the election of all the candidates elected at a primary election held in pursuance of a notification issued under this sub-rule is declared void at an election inquiry held under these rules, the Governor shall again by a notification in the Gazette call upon members of the Scheduled castes who are entitled to vote in the constituency concerned to elect at a fresh primary election under these rules four candidates for the said reserved seat within such time as may be specified in that notification, and the notification under this rule calling upon the constituency concerned to elect a member or members shall be issued after the declaration of the result of such fresh primary election.

Casual Vacancies.

9. (1) When the seat of a member becomes vacant by reason of his death or resignation or by virtue of any provision contained in the Act or in any Order or rule made thereunder or in an Act of the Provincial Legislature, the Governor shall, subject to the provisions of sub-rule (2), by notification in the Gazette call upon the constituency concerned to elect a person for the purpose of filling the vacancy so caused within such time as may be specified in the notification.

(2) If the vacancy so caused be a vacancy of a seat reserved in a constituency for members of the Scheduled castes the Governor shall first, by a notification in the Gazette, call upon members of the Scheduled castes who are entitled to vote in that constituency to elect at a primary election under these rules four candidates for the said seat within such time as may be specified in that notification and after the declaration of the result of such primary election, by another notification in the Gazette, call upon the constituency concerned to elect a person for the purpose of filling the vacancy so caused within such time as may be specified in such notification :

Provided that where the election of all the candidates elected at a primary election held in pursuance of a notification issued under this sub-rule is declared void at an election inquiry held under these rules, the Governor shall again by a notification in the Gazette call upon members of the Scheduled castes who are entitled to vote in the constituency concerned to elect at a fresh primary election under these rules four candidates for the said vacant seat within such time as may be specified in that notification and the notification under this rule calling upon the said constituency to elect a person for the purpose of filling the vacancy shall be issued after the declaration of the result of such fresh primary election.

Returning Officers.

10. The Returning Officers for the constituencies mentioned in the first column of Schedule I hereto annexed shall be the persons respectively specified in the corresponding entry in the second column thereof.

11. (1) The persons specified in the third column of the said Schedule may, subject to the control of the Returning Officer, perform all or any of the functions of the Returning Officer in the constituencies respectively specified in the corresponding entry in the first column thereof:

Provided that no such person shall perform any of the functions of a Returning Officer which relate to the acceptance of a nomination paper or of a paper withdrawing candidature or to the scrutiny of nominations or to the counting of votes, unless the Returning Officer is unavoidably prevented from performing the same, in which case the said functions may be performed in any constituency by the first or the only person specified in the corresponding entry in the third column of the Schedule.

(2) Reference to the Returning Officer in these rules shall, unless a contrary intention appears, be deemed to include any person when performing any duty or function which he is authorized to perform under sub-rule (1).

Primary Elections.

12. (1) In a notification issued under sub-rule (2) of rule 8 or of rule 9, the Governor shall appoint—

(*a*) a date for the nomination by the electors in the constituency who belong to the Scheduled castes of candidates for the primary election, such date not being later than the tenth day after the date of the aforesaid notification;
(*b*) another date for the scrutiny of nominations, such date not being later than the third day after the date fixed for the nomination of candidates;
(*c*) a date or dates on which a poll shall, if necessary, be taken; and
(*d*) a further date or dates for the counting of votes.

(2) On the issue of a notification by the Governor it shall be the duty of the Returning Officer to give public notice of the intended election in Form I in such language or languages as he thinks fit. Such notice shall be published on the notice board of the office of the Returning Officer and in such other manner in the constituency as the Returning Officer may think fit.

The said notice shall also be published in the *Fort St. George Gazette* in the case of elections in the Madras City and in the District Gazette concerned in other cases. The notice shall further be posted in all municipal offices and in the office of each Collector, Divisional Officer, Tahsildar, Deputy Tahsildar and Sub-Magistrate situated within the constituency.

13. On or before the date appointed for the nomination of candidates, each candidate shall, either in person or by his proposer or seconder, between the hours of 11 o'clock in the forenoon and 3 o'clock in the afternoon, deliver to the Returning Officer or to such other person as is authorized in this behalf by rule 11, a

nomination paper completed in Form II and subscribed by the candidate himself as assenting to the nomination and by two persons as proposer and seconder whose names are registered on the electoral roll of the constituency.

14. (1) Any person who is a member of the Scheduled castes may be nominated as a candidate for a primary election if he is qualified to hold a seat in the Legislative Assembly under the Act, or any Order or rule made thereunder, or an Act of the Provincial Legislature.

(2) The nomination paper delivered by or on behalf of a candidate for a seat in a constituency in which he is not entitled to vote shall be accompanied by a certified copy of the entry containing his name in the electoral roll for the constituency in which he is entitled to vote.

15. (1) Any person, being a member of one of the Scheduled castes, whose name is included in the electoral roll of the constituency and who is not subject to any disabilities for being so included under the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature, may subscribe as proposer or seconder as many nomination papers as there are vacancies to be filled but no more.

(2) Every nomination paper delivered under rule 13 shall be accompanied by a declaration in writing as shown in Schedule II subscribed by the candidate that the candidate has appointed or does thereby appoint as his election agent for the election either himself or some one other person who is not disqualified for the appointment under the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature, and who shall be named in the declaration; and no candidate shall be deemed to be duly nominated unless such declaration is delivered along with the nomination paper:

Provided that, notwithstanding that more than one nomination paper is presented by or on behalf of a candidate, only one such declaration by the candidate shall be necessary.

16. Printed copies of Form II shall, on application, be supplied to any elector of the constituency at the office of the Returning Officer thereof.

17. Any nomination paper which is not received before 3 o'clock in the afternoon on the date appointed by the Governor for the nomination of candidates shall be rejected.

18. (1) On the presentation of a nomination paper, the Returning Officer may require the person or persons presenting the same to produce a copy of the electoral roll on which the candidate and his proposer and seconder are registered or of the necessary entries therein and shall satisfy himself that the name and number on the electoral roll of the candidate and his proposer and seconder as entered in the nomination paper are the same as those entered

in the electoral roll. Where necessary he shall direct that the former be amended so as to be in accordance with the latter.

(2) The Returning Officer may interpret an entry in the roll so as to overlook merely clerical or printing errors, but shall record the interpretation he has adopted together with the reasons therefor.

19. The Returning Officer or other person authorized shall, on receiving a nomination paper under rule 13, inform the person or persons delivering the same of the date, hour and place appointed for the scrutiny of nominations, and shall enter in the nomination paper its serial number and shall sign thereon a certificate stating the date on which and the hour at which the nomination paper has been delivered to him; and shall, as soon as may be thereafter, cause to be affixed in some conspicuous place in his office a notice of the nomination containing descriptions similar to those contained in the nomination paper, both of the candidate and of the persons who have subscribed the nomination paper as proposer and seconder.

20. (1) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer or other person authorized at or before three o'clock in the afternoon, on the date succeeding that appointed by the Governor for the scrutiny of nominations:

Provided that if this day is a public holiday within the meaning of section 25 of the Negotiable Instruments Act, 1881, or has been notified by the Local Government as a day to be observed as a holiday in Government offices, the notice shall be considered as having been received in due time if it is presented at or before three o'clock on the next succeeding day which is neither such a public holiday nor a day so notified.

(2) On receipt of a notice of withdrawal under sub-rule (1) the Returning Officer shall satisfy himself that the candidate understands the purport of the notice, and only if he is so satisfied shall he accept the notice. When the candidate is too ill to attend in person, he shall be exempted from appearance in person on production of a certificate regarding his illness from a village munsif or an officer of a higher grade in the Revenue Department, in which case the proposer or seconder of the candidate shall deliver the notice in person.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election.

21. The Returning Officer or other person authorized shall, as soon as may be, cause a notice of the withdrawal to be affixed in some conspicuous place in his office.

22. On or before the date appointed for the nomination of candidates, each candidate shall deposit or cause to be deposited with the Returning Officer the sum of fifty rupees in cash; and

no candidate shall be deemed to be duly nominated unless such deposit has been made.

23. (1) If a candidate by whom or on whose behalf the deposit referred to in rule 22 has been made withdraws his candidature in the manner and within the time specified in rule 20, or if the nomination of any such candidate is refused, the deposit shall be returned to the person by whom it was made; and, if any candidate dies before the commencement of the poll, whether at the primary or the final election, any such deposit, if made by him, shall be returned to his legal representative or, if not made by the candidate, shall be returned to the person by whom it was made.

(2) If a candidate by whom or on whose behalf such deposit has been made is not elected at the primary election and the number of votes polled by him at such primary election is less than one-fourth of the total number of votes polled by the candidate who has secured the lowest number of votes amongst the successful candidates at such primary election, the deposit shall be forfeited to the Government.

(3) For the purposes of sub-rule (2) the number of votes polled shall be deemed to be the number of ballot papers, other than rejected ballot papers, counted.

(4) The deposit made in respect of a candidate who is not elected at the primary election shall, if it is not forfeited under sub-rule (2), be returned to the candidate or to the person who has made the deposit on his behalf, as the case may be, as soon as may be after the publication of the result of the primary election, and the deposit in respect of a candidate who is elected at the primary election shall be so returned as soon as may be after the publication of the result of the final election, whether the candidate is or is not elected at the final election:

Provided that, if a candidate is duly nominated at a general election in more than one constituency, not more than one of the deposits made by him or on his behalf shall be returned and the remainder shall be forfeited to the Government.

24. On the date appointed by the Governor for the scrutiny of nominations under clause (*b*) of sub-rule (1) of rule 12, the candidates, one proposer and one seconder of each candidate, and one other person duly authorized in writing by each candidate, and, except for the purpose of assisting the Returning Officer no other person, may attend at such time and place as the Returning Officer may appoint, and the Returning Officer shall afford them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner prescribed in the foregoing rules.

25. (1) The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made at the time to any nomination, and may, either on such objection or on his own motion, after such summary inquiry, if any, as he

thinks necessary, refuse any nomination on any of the following grounds :—

(*a*) that the candidate is ineligible for election under the provisions of the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature;

(*b*) that the proposer or seconder is disqualified from subscribing a nomination paper under rule 15; and

(*c*) that there has been any failure on the part of the candidate or his proposer or seconder to comply with any of the provisions of rules 13 to 22 above.

(2) For the purposes of this rule—

(*a*) the production of a certified copy of an entry made in the electoral roll of any constituency shall be conclusive evidence of the right of any elector named in that entry to stand for election or to subscribe a nomination paper, as the case may be, unless it is proved that the candidate is disqualified under the Act or under any Order or rule made thereunder or under an Act of the Provincial Legislature, or that the proposer or seconder, as the case may be, is disqualified under rule 15.

(*b*) where a person has subscribed, whether as proposer or seconder, a larger number of nomination papers than there are vacancies to be filled, those of the papers so subscribed which have been first received, up to the number of vacancies to be filled, shall be deemed to be valid.

(3) Nothing contained in clause (*b*) or clause (*c*) of sub-rule (1) shall be deemed to authorize the refusal of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

26. (1) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection.

(2) The scrutiny shall be completed on the day appointed in this behalf under clause (*b*) of sub-rule (1) of rule 12 and no adjournment of the proceedings shall be allowed.

27. On the completion of the scrutiny of nominations and after the expiry of the period within which candidatures may be withdrawn under sub-rule (1) of rule 20, the Returning Officer shall forthwith prepare a list of persons, whose nominations have not been rejected and who have not withdrawn their candidature, and cause it to be affixed in some conspicuous place in his office.

28. If the number of such persons is greater than the number of vacancies, the Returning Officer shall forthwith publish in the manner prescribed in sub-rule (2) of rule 12 a list in Form III of the names in alphabetical order of the candidates as given in the nomination papers. The alphabetical order is to be determined with reference to the order of the surnames (i.e., names proper) of the candidates. Against each candidate's name on the list shall be noted the serial number and the distinctive colour assigned to him for the purpose of the ballot.

29. (1) If the number of candidates who are duly nominated and who have not withdrawn their candidature in the manner and within the time specified in sub-rule (1) of rule 20 exceeds four, a poll shall be taken.

(2) If the number of such candidates is four, all such candidates shall be declared to be duly elected to the panel.

(3) If the number of such candidates is less than four, all such candidates shall be declared to be elected to the panel :

Provided that if the number of candidates nominated is one, such candidate shall at once be declared to be duly elected to fill the reserved seat in the constituency :

Provided further that if no candidate is nominated, or if the number of candidates nominated is not more than one and he dies before the commencement of the poll, the Governor shall, by notification in the Gazette, call upon the Scheduled caste electors of the constituency to elect a panel of candidates within such time as may be prescribed by the notification. If the constituency having been thus called upon, fails to nominate a candidate, the Governor shall not be bound again to call upon the Scheduled caste electors to elect a panel of candidates and unless a member of the Scheduled castes not elected at a primary election is successful at the final election, the reserved seat shall be left unfilled until such time as the Governor thinks fit to call upon the Scheduled caste electors to hold a fresh election.

30. Votes shall be given by ballot in person and a voter shall be given one ballot paper which shall be placed in the ballot box bearing the serial number and colour assigned to the candidate for whom he desires to vote; otherwise the poll shall be conducted in the manner prescribed by rules 51 to 73.

31. (1) The counting of votes shall commence on the day appointed by the Governor in that behalf at such time and place as the Returning Officer may fix. The Returning Officer shall give notice in writing of the date, time and place aforesaid to all candidates and election agents.

(2) Votes shall be counted by, or under the supervision of, the Returning Officer, and each candidate, and one representative of each candidate authorized in writing by the candidate shall have a right to be present at the time of counting. No other person shall be allowed to be present except such persons as the Returning

Officer may appoint to assist him in counting votes and no person shall be appointed to assist in counting the votes who has been employed by or on behalf of any candidate for any purpose whatsoever connected with the election.

(3) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidates to whom the largest number of votes has been given to be elected.

(4) Where an equality of votes is found to exist between any candidates and the addition of one vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(5) The Returning Officer shall without delay cause the names of the candidates elected to be published by affixing a notice in some conspicuous part of his office and immediately report such names to the Government.

Elections other than primary elections.

32.. In a notification issued under sub-rule (2) of rule 8, or under sub-rule (1) of rule 9, the Governor shall appoint—

(*a*) a date for the nomination of candidates, such date not being later than the twenty-first day after the date of the aforesaid notification;

(*b*) another date for the scrutiny of nominations, such date being not later than the third day after the date fixed for the nomination of candidates;

(*c*) a date or dates on which a poll shall, if necessary, be taken; and

(*d*) a further date or dates for the counting of votes.

33. On the issue of a notification by the Governor, it shall be the duty of the Returning Officer to give public notice of the intended election in Form IV, in such language or languages as he thinks fit. Such notice shall be published on the notice board of the office of the Returning Officer and in such other manner in the constituency as the Returning Officer may think fit. In the case of all territorial constituencies except the European and the Anglo-Indian constituencies such notice shall also be posted in the municipal office and in the office of each Collector, Divisional Officer, Tahsildar, Deputy Tahsildar and Sub-Magistrate, situated within the constituency. The notice shall further be published—

(i) *in the Fort St. George Gazette*—in the case of the European, Anglo-Indian, University, Landholders, Commerce, Industry and Planting and Labour constituencies and also in the case of the General, Muhammadan,

Indian Christian and Women's constituencies relating to the City of Madras; and

(ii) *in the District Gazette*—(including the village sheet)—in the case of the General, Muhammadan, Indian Christian and Women's constituencies other than those relating to the City of Madras and also in the case of the Backward Areas and Tribes constituency.

34. On or before the date appointed for the nomination of candidates, each candidate shall, either in person or by his proposer or seconder, between the hours of eleven o'clock in the forenoon and three o'clock in the afternoon, deliver to the Returning Officer or to such other person as is authorized in this behalf by rule 11 a nomination paper completed in the manner prescribed in Form II and subscribed by the candidate himself as assenting to the nomination and by two persons as proposer and seconder whose names are registered on the electoral roll of the constituency.

35. (1) Any person may be nominated as a candidate at an election to fill a seat or seats in any constituency, if he is qualified to be chosen to fill such seat or one of such seats, as the case may be, under the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature.

(2) The nomination paper delivered by or on behalf of a candidate for a seat in a constituency in which he is not entitled to vote shall be accompanied by a certified copy of the entry containing his name in the electoral roll of the constituency in which he is entitled to vote:

Provided that, if the candidate is a candidate for a seat in a Labour constituency and is not entitled to vote in the choice of a member to fill any Labour seat, such nomination paper shall be accompanied by a certificate to the effect.

(*a*) that the candidate is a member, an honorary member or an official, as the case may be, of a trade union and if an ordinary member, that he is not in arrear with his subscription; and

(*b*) that such trade union is a recognized trade union within the meaning of sub-paragraph (2) of paragraph 24 of Part II of the Assembly Order.

(3) The certificate required by the proviso to sub-rule (2) shall be signed by the President or Chairman or Secretary of the trade union concerned and shall be sealed with its common seal, and the signature on such certificate shall be attested by a Presidency Magistrate, Taluk Magistrate, Deputy Tahsildar or Stationary Sub-Magistrate.

(4) The nomination paper delivered by or on behalf of a candidate for the seat reserved for backward areas and tribes shall be accompanied by a certificate from the Revenue Divisional

Officer of the division in which the candidate resides, stating that the candidate is a member of a backward tribe who is entitled to vote in the choice of a member to fill that seat or a seat in a territorial constituency.

36. (1) Any person whose name is included in the electoral roll of the constituency and who is not subject to any disabilities for being so included under the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature, may subscribe as proposer or seconder as many nomination papers as there are vacancies to be filled but no more:

Provided that where a nominee of a firm, corporation or Hindu joint family is a candidate for election, any other nominee of the said firm, corporation of Hindu joint family shall not be entitled to subscribe either as proposer or seconder the nomination paper of such candidate:

Provided also that where a nominee of a firm, corporation or Hindu joint family has subscribed as proposer or seconder a nomination paper, any other nominee of the said firm, corporation or Hindu joint family shall not subscribe as seconder or proposer the same nomination paper.

(2) Every nomination paper delivered under rule 34 shall be accompanied by a declaration in writing as shown in Schedule II subscribed by the candidate that the candidate has appointed or does thereby appoint as his election agent for the election either himself or some one other person who is not disqualified under the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature, for the appointment and who shall be named in the declaration; and no candidate shall be deemed to be duly nominated unless such declaration is delivered along with the nomination paper:

Provided that, notwithstanding that more than one nomination paper is presented by or on behalf of a candidate, only one such declaration by the candidate shall be necessary.

37. Printed copies of the nomination paper in Form II shall on application be supplied to any elector of the constituency at the office of the Returning Officer thereof.

38. Any nomination paper which is not received before three o'clock in the afternoon on the date appointed by the Governor for the nomination of candidates shall be rejected.

39. (1) On the presentation of a nomination paper, the Returning Officer may require the person or persons presenting the same to produce a copy of the electoral roll on which the candidate and his proposer and seconder are registered or of the necessary entries therein and shall satisfy himself that the name and number on the electoral roll of the candidate and his proposer and seconder as entered in the nomination paper are the same as those entered in the electoral roll. Where necessary, he shall direct that the former be amended so as to be in accordance with the latter.

(2) The Returning Officer may interpret an entry in the roll so as to overlook merely clerical or printing errors, but shall record the interpretation he has adopted together with the reasons therefor.

40. The Returning Officer or other person authorized shall, on receiving a nomination paper under rule 34, inform the person or persons delivering the same of the date, hour and place appointed for the scrutiny of nominations, and shall enter in the nomination paper its serial number and shall sign thereon a certificate stating the date on which and the hour at which the nomination paper has been delivered to him; and shall, as soon as may be thereafter, cause to be affixed in some conspicuous place in his office a notice of the nomination containing descriptions similar to those contained in the nomination paper, both of the candidate and of the persons who have subscribed the nomination paper as proposer and seconder.

41. (1) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer or other person authorized on or before three o'clock in the afternoon on the date succeeding that appointed by the Governor for the scrutiny of nominations:

Provided that if this day is a public holiday within the meaning of section 25 of the Negotiable Instruments Act, 1881, or has been notified by the Local Government as a day to be observed as a holiday in Government offices, the notice shall be considered as having been received in due time if it is presented at or before three o'clock on the next succeeding day which is neither such a public holiday nor a day so notified.

(2) A candidate elected at a primary election may withdraw his candidature by notice in writing subscribed by him and delivered in person to the Returning Officer or other person authorized on or before the time and date specified in sub-rule (1). The provisions of sub-rule (2) of rule 20 shall apply to a withdrawal under this sub-rule.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election.

42. The Returning Officer or other person authorized shall, on receiving a notice of withdrawal under rule 41, as soon as may be, cause a notice of the withdrawal to be affixed in some conspicuous place in his office.

43. (1) On or before the date appointed for the nomination of candidates, each candidate in every constituency shall deposit or cause to be deposited with the Returning Officer the sum of two hundred and fifty rupees in cash * or in Government Promissory Notes of equal value at the market rate of the day:

* Returning Officers may accept treasury receipts in lieu of cash when a candidate chooses to pay the amount in cash direct into the treasury.

Provided that the deposit of a candidate in a Labour constituency or the Backward Areas and Tribes constituency shall be fifty rupees :

Provided further that a Scheduled caste candidate elected at a primary election shall not be called upon to make a deposit in addition to the one provided for in rule 22.

(2) No candidate shall be deemed to be duly nominated unless the deposit mentioned in sub-rule (1) has been made.

(3) If a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) has been made withdraws his candidature in the manner and within the time specified in rule 41, or if the nomination of any such candidate is refused, the deposit shall be returned to the person by whom it was made; and, if any candidate dies before the commencement of the poll, any such deposit, if made by him, shall be returned to his legal representative or, if not made by the candidate, shall be returned to the person by whom it was made.

(4) If a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) has been made is not elected and the number of votes polled by him does not exceed, in the case of a constituency returning one or two members, one-eighth of the total number of votes polled, or, in the case of a constituency returning more than two members, one-eighth of the number of votes polled divided by the number of members to be elected, the deposit shall be forfeited to the Government :

Provided that in a constituency in which a seat is reserved for a representative of the Scheduled castes—

(i) the deposit of a Scheduled caste candidate shall not be forfeited; and

(ii) the deposit of any other candidate shall not be forfeited unless he fails to obtain one-eighth of the total number of votes polled by all candidates other than the Scheduled caste candidates.

(5) For the purposes of sub-rule (4), the number of votes polled shall be deemed to be the number of ballot papers, other than rejected ballot papers, counted.

(6) The deposit made in respect of a candidate who is not elected, if it is not forfeited under sub-rule (4) and the deposit made in respect of a candidate who is elected shall be returned to the candidate or to the person who has made the deposit on his behalf, as the case may be, as soon as may be after the publication of the result of the election in the Gazette :

Provided that, if a candidate is duly nominated at a general election in more than one constituency, not more than one of the deposits made by him or on his behalf shall be returned, and the remainder shall be forfeited to the Government.

Scrutiny of Nominations.

44. On the date appointed by the Governor for the scrutiny of nominations under rule 32, the candidates, their election agents, one proposer and one seconder of each candidate, and one other person duly authorized in writing by each candidate, and, except for the purpose of assisting the Returning Officer, no other person, may attend at such time and place as the Returning Officer may appoint, and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner prescribed in the foregoing rules.

45. (1) The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made at the time to any nomination, and may, either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary, refuse any nomination on any of the following grounds :—

(*a*) that the candidate is ineligible for election under the provisions of the Act or under any Order or rule made thereunder, or under an Act of the Provincial Legislature;

(*b*) that the proposer or seconder is disqualified from subscribing a nomination paper under rule 36; and

(*c*) that there has been any failure on the part of the candidate or his proposer or seconder to comply with any of the provisions of the foregoing rules.

(2) For the purposes of this rule—

(*a*) the production of a certified copy of an entry made in the electoral roll of any constituency shall be conclusive evidence of the right of any elector named in that entry to stand for election or to subscribe a nomination paper, as the case may be, unless it is proved that the candidate is disqualified under the Act, or under any Order or rule made thereunder or under an Act of the Provincial Legislature, or that the proposer or seconder, as the case may be, is disqualified under rule 36; and

(*b*) where a person has subscribed, whether as proposer or seconder, a larger number of nomination papers than there are vacancies to be filled, those of the papers so subscribed which have been first received, up to the number of vacancies to be filled, shall be deemed to be valid.

(3) Nothing contained in clause (*b*) or clause (*c*) of sub-rule (1) shall be deemed to authorize the refusal of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

46. (1) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection.

(2) The scrutiny shall be completed on the day appointed in this behalf under clause (*b*) of rule 32 and no adjournment of the proceedings shall be allowed.

(3) On completion of the scrutiny of nominations and after the expiry of the period within which candidatures may be withdrawn under rule 41, the Returning Officer shall forthwith prepare a list of persons, whose nominations have not been rejected and who have not withdrawn their candidature, and cause it to be affixed in some conspicuous place in his office.

47. If the number of such persons is greater than the number of vacancies, the Returning Officer shall forthwith publish in the manner prescribed in rule 33 a list in Form V of the names in alphabetical order of the candidates as given in the nomination papers. The alphabetical order is to be determined with reference to the order of the surnames (i.e., names proper) of the candidates. In a constituency in which a seat is reserved for a representative of the Scheduled castes, the names of the candidates who have been duly elected at the primary election and have not withdrawn their candidature in the manner and within the time allowed by rule 41 shall also be included in this list unless there is only one candidate. Against each candidate's name on the list shall be noted the serial number and, in the case of personal vote constituencies, the distinctive colour assigned to him for the purpose of the ballot.

48. If a candidate who has been duly nominated dies after the date appointed for the scrutiny of nominations and before the commencement of the poll, the Returning Officer or other authorized person referred to in rule 34 shall, upon being satisfied of the fact of the death of the candidate, countermand the poll and report the fact to the Government, and all proceedings with reference to the election shall be commenced anew in all respects as if for a new election:

Provided that no fresh nomination shall be necessary in the case of a candidate who stood nominated at the time of the countermanding of the poll, nor shall it be necessary to hold another primary election.

49. (1) If the number of candidates who are duly nominated and who have not withdrawn their candidature in the manner and within the time specified in rule 41 exceeds that of the vacancies, a poll shall be taken.

(2) If the number of such candidates is equal to the number of vacancies, all such candidates shall be declared to be duly elected.

(3) If the number of such candidates is less than the number of vacancies, all such candidates, if any, shall be declared to be elected, and the Governor shall, by a notification in the Gazette, call upon the constituency to fill the vacancy or vacancies, as the case may be, within such time as may be prescribed by the notification :

Provided that where the constituency, having already been called upon under this sub-rule, has failed to elect a person or the requisite number of persons, as the case may be, to fill the vacancy or vacancies, the Governor shall not be bound again to call upon the constituency to elect a person or persons until such time as he thinks fit.

(4) Votes shall be given by ballot and, save as otherwise provided in rules 69 and 70 and in constituencies other than those mentioned in rule 50, in person.

50. Rules 51 to 73, except the explanation to rule 65 (1), shall not apply to the following constituencies, viz :—

(*a*) European,
(*b*) Anglo-Indian,
(*c*) Landholders,
(*d*) University, and
(*e*) Madras Planters,

but shall apply to all other constituencies.

51. The poll shall commence at 7 a.m. and be kept open till 6 p.m. It may be closed for not more than one hour between these limits at the discretion of the presiding officer.

52. The Returning Officer may, for sufficient cause and with the previous consent of the Governor, postpone the date or extend the period fixed for polling.

In emergencies such as a disturbance of the public peace or the intervention of floods, the presiding officer may close the poll, and shall make a report to the Returning Officer. The Returning Officer shall notify the adjournment of the poll to a subsequent day and shall immediately report the circumstances to the Government.

53. The Returning Officer shall appoint one polling station for each polling area in each constituency and shall appoint a presiding officer for each polling station and such other persons (hereinafter referred to as polling officers) to assist the presiding officer as he thinks necessary.

54. The presiding officer shall keep order at the polling station, shall see that the election is fairly conducted, shall regulate the number of electors to be admitted at one time, and shall exclude all other persons except—

(*a*) the polling officers, the candidates, and one agent of each candidate at a time (hereinafter referred to as the polling agent) appointed in writing by the candidate,

(b) the police or other public servants on duty, and
(c) such other persons as the presiding officer may from time to time admit for the purpose of identifying electors.

55. Subject to the provisions of rules 69 and 70 no elector shall be admitted to vote except at the polling station fixed under rule 53 for the polling area under which his name appears on the electoral roll.

56. The presiding officer shall close the polling station at the hour appointed for closing under rules 51 and 52 so as to prevent the admission thereto of any elector after that hour and no ballot paper shall be issued after that hour.

57. Each polling station shall contain a separate compartment in which electors can record their votes screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in boxes. As far as possible, separate compartments and separate entrances and exits shall, where action is not taken under rule 58, be provided for women electors.

58. Notwithstanding anything hereinbefore contained, the Returning Officer may, at his discretion, if a sufficient number of women suitable and willing to act as presiding and polling officers are available, provide a separate polling station for taking the votes of the women electors for any polling area or make such other arrangements as may be necessary to ensure the privacy of such electors. In such cases women only shall be appointed to act as presiding and polling officers in respect of the votes of the women electors concerned. Except the police or other public servants on duty, no candidate, agent of a candidate or other person who is not a woman shall be admitted into or be present at such polling station or the place where the votes of such women electors are taken, as the case may be.

59. The Returning Officer shall provide in each polling compartment at each polling station, as many ballot boxes as there are candidates, the box of each candidate bearing the serial number and the distinctive colour or colours assigned to him. He shall also provide a sufficient number of envelopes bearing the distinctive colours assigned to candidates and such other colours as may be necessary to give effect to sub-rule (2) of rule 70, together with the necessary outer covers, and copies of the electoral roll or such part thereof as contains the names of the electors entitled to vote at the station. He shall further provide a board on which is displayed in bold and clear print the name of each candidate, the serial number and the colour assigned to him.

60. (1) Every ballot-box shall be so constructed that the ballot papers can be introduced therein but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer at any polling station, immediately before the commencement of the poll, shall show the ballot-box empty to such persons as may be present at such station, so that they may see that it is empty, and

shall then lock it up, and place his seal upon it in such manner as to prevent its being opened without breaking such seal. He shall thereupon place the box so locked and sealed inside the polling compartment for the receipt of ballot papers, but screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in it.

(2) Before the polling station is open for the recording of votes, the presiding officer shall read to such persons as may be present the provisions of section 14 of the Indian Election Offences and Inquiries Act, 1920, and shall explain the substance thereof in the vernacular of the district.

61. Every ballot paper shall be in Form VI and shall have a counterfoil attached to it which shall be in Form VI-A. The ballot paper shall bear the letter or letters indicating the constituency and a serial number. On each ballot paper the polling officer shall affix a stamp across the perforation between the foil and counterfoil.

62. (1) At elections for constituencies in which not more than one seat has to be filled a voter shall be given only one ballot paper which shall be placed in the ballot-box bearing the serial number and the colour assigned to the candidate for whom he desires to vote.

(2) At elections for constituencies in which more than one seat has to be filled, the voter shall be given as many ballot papers as there are seats to be filled and the presiding officer or polling officer shall explain to the voter that he may place all the ballot papers in the ballot-box of one candidate or distribute them as he thinks fit and place them in different ballot-boxes.

(3) Immediately before a ballot paper is delivered to an elector, the number, name and description of the elector as stated in the electoral roll shall be called out. The polling officer shall stamp the ballot paper with the prescribed mark, detach it from the counterfoil, and deliver it to the elector and shall place a mark on a copy of the electoral roll against the number of the elector to denote that he has received a ballot paper, but with no indication of the particular ballot paper which he has received.

63. The elector on receiving the ballot paper or papers shall forthwith proceed into the polling compartment and there place the ballot paper or papers in the box or boxes according to his choice. Every elector shall vote without undue delay and shall quit the polling station as soon as he has voted.

64. (1) If an elector is incapacitated from blindness or other physical cause from voting in the manner prescribed in rule 63 the presiding officer shall ascertain from him for whom he wishes to vote and shall, in the presence of any candidate or polling agent who may be present, place the ballot paper in the box bearing the serial number and the colour assigned to the candidate for whom he wishes to vote.

(2) In the case of every elector whose ballot paper is dealt with in the manner laid down in sub-rule (1), a note shall be made on the counterfoil by the presiding officer, of the reason why it was so dealt with.

65. (1) When a person presents himself to vote, and at any time before a ballot paper is supplied to him, the presiding officer or polling officer may, of his own accord, and shall, if so required by a candidate or polling agent, put to such person any or all of the following questions :—

(i) Are you the person enrolled as follows (reading the whole entry from the roll)?

(ii) Have you already voted at the present election in this constituency? and

(iii) At a general election—

(*a*) In the case of a territorial constituency other than a Women's constituency—Have you voted in any other territorial constituency not being a Women's constituency?;

(*b*) In the case of a Women's constituency—Have you voted in any other Women's constituency?;

(*c*) In the case of a Commerce and Industry constituency —Have you voted in any other Commerce and Industry constituency?; and

(*d*) In the case of a Labour constituency—Have you voted in any other Labour constituency?

and the person shall not be supplied with a ballot paper unless he gives an unqualified answer to the question or questions put to him and unless he answers the first question in the affirmative, the second question in the negative, and, at a general election, the appropriate third question also in the negative.

Explanation I.—Constituencies fall under the following eight classes, namely :—

(i) Territorial constituencies other than Women's constituencies, that is to say, the General, Muhammadan, Anglo-Indian, European and Indian Christian constituencies;

(ii) Territorial constituencies being Women's constituencies;

(iii) The Backward Areas and Tribes Special constituency;

(iv) The Commerce and Industry Special constituencies;

(v) The Planting Special constituency;

(vi) The Landholders' Special constituencies;

(vii) The Labour Special constituencies; and

(viii) The University Special constituency.

Explanation II.—An elector is not entitled to vote in more than one constituency falling under any one class specified above.

Explanation III.—An elector entitled to vote in any constituency falling under one class is not, by reason only of that fact, precluded from voting in a constituency falling under any other class.

(2) Except as mentioned herein, every person whose name is found on the electoral roll shall be entitled to be supplied with a ballot paper.

66. If a person representing himself to be a particular elector named on the electoral roll applies for a ballot paper after another person has voted as such elector, the applicant shall, after duly answering such questions as the presiding officer may ask, be entitled to receive a ballot paper in the same manner as another elector. On receipt of such ballot paper (hereinafter referred to as a tendered ballot paper) the elector shall proceed into the polling compartment and there place the ballot paper in an envelope bearing the colour assigned to the candidate of the applicant's choice. He shall then stick the envelope and enclose it in a cover and hand it over to the presiding officer. The presiding officer shall make an endorsement containing the name of the elector and his number on the electoral roll and the name and number of the electoral area to which the roll relates and shall set aside the cover in a separate packet the ballot papers in which shall not be counted by the Returning Officer. The name of the elector and his number in the electoral roll and the name or distinctive number of the polling station to which the roll relates shall be entered in a list in Form VII, which shall bear the heading "Tendered votes list." The person tendering such ballot paper shall sign his name and address on that list or affix his thumb-impression thereto.

Explanation.—In cases falling under this rule to which rule 67 is also applicable, the provisions of this rule as well as of rule 67 shall be followed.

67. (1) If any polling agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of personation, the presiding officer may require such person to enter in the list of challenged votes (which shall be in Form VIII) his name and address or, if he is unable to write, to affix his thumb-impression thereto and may further require such person to produce evidence of identification.

(2) The presiding officer shall then call upon the candidate or agent bringing forward the charge of personation to deposit with him a sum of twenty rupees in cash.

(3) Immediately the deposit required by sub-rule (2) has been made, the presiding officer shall obtain a written statement in Form IX which shall be signed by the candidate or agent, as the case may be, and which shall also be attested by two credible witnesses, in the presence of the presiding officer.

(4) If the applicant for the ballot paper on being questioned in the manner provided in rule 65 gives unqualified answers to the first question in the affirmative and to the other questions in the

negative, he shall be allowed to vote after he has been informed of the penalty for personation. The presiding officer shall make a note of the circumstances and of his decision on the list of challenged votes.

(5) The presiding officer shall, at the close of the poll, forward to the Returning Officer the statement mentioned in sub-rule (3), enclosed in the packet containing the list of challenged votes.

(6) The Returning Officer, after instituting such inquiries as may be necessary, shall take steps to prosecute the person or persons whom he believes to be guilty of the offence of personation after obtaining the previous sanction, required by section 196 of the Criminal Procedure Code, such sanction being obtained from the Commissioner of Police in the City of Madras and from the District Magistrate concerned elsewhere. If it is found as a result of the judicial trial that the offence of personation has not been proved, the Returning Officer shall decide whether the whole or part of the deposit shall be declared forfeit to the Government. In coming to a decision on this point the Returning Officer shall be guided by the facts and conclusions recorded at the trial.

68. An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot conveniently be used as a ballot paper may, on delivering it to the presiding officer and satisfying him of the inadvertence, obtain another ballot paper in place of the spoilt paper, and the latter shall, together with its counterfoil, be marked as cancelled.

69. A presiding officer, polling officer, or polling agent or public servant who being entitled to vote in the constituency is duly appointed or authorized for duty at a polling station at which he is not ordinarily entitled to record his vote may apply to the Returning Officer concerned for a certificate entitling him to record his vote at the polling station where he is employed. The said certificate shall be in Form X.

If however he is on duty at a polling station which is not in the constituency in which he is entitled to record his vote the Returning Officer shall in addition to the certificate mentioned above furnish the presiding officer concerned with particulars regarding the number of votes which an elector is entitled to give and the names of and serial numbers and colours assigned to, the candidates standing for election in that constituency.

70. A person in possession of a certificate in the form prescribed in rule 69 shall deliver the certificate to the presiding officer who shall thereupon issue to the person ballot papers in the same manner as to any other elector. Such ballot papers shall be dealt with in the following manner :—

(1) If the polling station at which the person is on duty be in the same constituency as the one in which he is entitled to vote, then the provisions contained in rules 62 and 63

shall apply. The presiding officer shall, at the end of the poll, send the certificate to the Returning Officer along with the statement mentioned in rule 72.

(2) If the polling station at which the person is on duty be not in the constituency in which he is entitled to vote the presiding officer shall issue the ballot paper or papers with instructions similar to those contained in sub-rule (2) of rule 62. The person shall proceed into the polling compartment and place the ballot paper in the envelope bearing the colour assigned to the candidate of his choice and stick it up, enclose the envelope in a cover and hand over the cover to the presiding officer. Where an elector is given more than one ballot paper he shall adopt a similar procedure in respect of each such paper unless he chooses to give all his votes to a single candidate, in which case all the ballot papers shall be placed in a single envelope bearing the colour assigned to the candidate of his choice.

The presiding officer shall make up into separate packets for each constituency the covers in which votes have been so recorded, the connected certificates being fastened to the covers, seal up each such packet in the manner specified in rule 71 and forward the same to the Returning Officer of the constituency concerned.

71. The presiding officer of each polling station, as soon as practicable after the close of the poll, shall, in the presence of any candidate or polling agents who may be present, make up into separate packets and seal with his own seal and the seal of such candidates or agents as may decide to affix their seals—

(1) each ballot-box in use at such station unopened but with the key (which should also be sealed in the same manner as the ballot-box) attached,
(2) the tendered ballot papers,
(3) the unused ballot papers,
(4) the spoilt ballot papers,
(5) the marked copy of the electoral roll,
(6) the counterfoils of the ballot papers,
(7) the tendered votes list,
(8) the list of challenged votes with the statement or statements mentioned in rule 67 (5), and
(9) the covers under rule 70 (2),

and shall forward such packets to the authority mentioned in rule 73.

72. The packets shall be accompanied by a statement, in a separate cover, in Form XI made by the presiding officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot-boxes, unused, spoilt, and tendered ballot papers.

73. Subject to any directions given in that behalf by the Returning Officer, the packets and statements shall be forwarded by the presiding officer to the Returning Officer concerned in the Madras

City and either to himself or to such taluk officer as the Returning Officer may direct in the mufassal. Each packet shall be numbered and shall bear a note as to its contents and the name of the polling station. Where no vote has been recorded in any constituency, the presiding officer shall submit a *nil* report together with the statement in Form XI. The taluk officer shall forward to the Returning Officer concerned immediately on receipt from all the polling stations in the taluk, the packets and statements referred to in rules 71 and 72.

Postal Voting.

74. Rules 75 to 83 shall apply to the constituencies excepted by rule 50, and no elector of these constituencies shall be allowed to vote in any other way than is provided in these rules.

75. (1) The Returning Officer shall issue through registered post, acknowledgment due, a declaration paper and a ballot paper to each elector to the address entered against his name in the electoral roll, unless the elector has, since the publication of the roll, given intimation of any change in his address in the manner prescribed in sub-rule (2).

(2) Any elector wishing to intimate any change in his address as entered against his name in the electoral roll shall do so through a Presidency Magistrate, Taluk Magistrate, Deputy Tahsildar or Stationary Sub-Magistrate, having jurisdiction over the place mentioned in such address. The intimation shall be given in writing and shall be signed by the elector before the officer aforesaid. If the elector is not personally known to such officer, he shall be identified by two respectable witnesses who shall also sign the intimation as having identified the elector. For the purpose of identification, the testimony of the village officers of the village in which the elector resides, shall be accepted as sufficient. The officer before whom the elector signs the intimation shall forward it himself to the Returning Officer of the constituency concerned.

The provisions of this sub-rule shall apply *mutatis mutandis* whenever the elector wishes to intimate any subsequent change in his address.

76. The ballot paper shall be in Form XII and the declaration paper in Form XII-A. The ballot paper shall have the names of the candidates in the order in which they appear in Form V. If there are two candidates whose names are the same, they shall be distinguished by the addition of their occupation or in some other way. The ballot papers shall be printed in such language or languages as the Returning Officer may consider necessary. The same serial number shall be entered on the face of the declaration paper and on the back of the ballot paper. To each elector shall be issued the declaration paper and the ballot paper whose serial numbers correspond to the number which the elector bears on the electoral roll.

77. Before the ballot paper is issued to an elector, the Returning Officer shall—

(*a*) have the name of the elector entered on the declaration paper; and

(*b*) place a mark against the name of the elector concerned in the electoral roll, or the copy of it, used for the purpose of the election.

78. With the ballot paper, the Returning Officer shall send a cover addressed to himself in Form XIII, an envelope with the number of the ballot paper entered on its face and a letter in Form XIV. The Returning Officer shall have the number of the ballot paper entered at the left-hand bottom corner of the cover in Form XIII.

79. Each elector, upon receipt of his ballot paper, if he desires to vote in the election, shall sign the declaration in the declaration paper and record his vote or votes on the ballot paper by placing a mark against the name of the candidate or candidates of his choice.

80. The elector shall then enclose the ballot paper in the envelope and stick it up, enclose the envelope and the declaration paper in the cover and send the cover by registered post to the Returning Officer so as to reach him not later than the day and the latest hour fixed for the poll. The covers received after such day and hour, as well as covers received by unregistered post, shall be rejected:

Provided that, at his option, the elector may in person or by messenger deposit the cover in a ballot-box which shall be provided at the office of the Returning Officer on the day and during the hours fixed for the poll.

81. (1) If an elector is incapacitated from blindness or other physical cause, from voting in the manner prescribed above, it shall be competent for him to record his vote by the hand of any of the officers mentioned hereunder; and such officer shall, at the request of the elector, mark the ballot paper in the presence of the elector and if the incapacity is due to blindness, in the presence of another person as well and shall, on the declaration paper, certify the incapacity and attest the fact of his having been requested by the elector to mark the ballot paper for him, and of its having been so marked.

(2) The following officers are empowered to attest votes of incapacitated electors under this rule:—

Stipendiary Magistrates other than a village magistrate, Judges of the Court of Small Causes, Madras, and the City Civil Court, Madras, Sub-Judges, District Munsifs, District Registrars and Sub-Registrars.

82. (1) An elector who has not received his ballot and other connected papers sent by post or whose papers, before their despatch back to the Returning Officer have been inadvertently spoilt

in such manner that they cannot conveniently be used, or who has lost his papers, may apply in the manner prescribed in sub-rule (2) for new papers in place of those not received, spoilt or lost and if the papers have been spoilt, the spoilt papers shall be returned to the Returning Officer who shall cancel the same on receipt. In every case where new papers are issued, a mark shall be placed against the name of the elector in the copy of the roll referred to in clause (*b*) of rule 77 to denote that new papers have been issued in place of those not received, spoilt or lost.

(2) Any elector applying for new papers under sub-rule (1) shall sign a declaration to the effect that he has not received his ballot and other connected papers or that they have been spoilt or lost, as the case may be, before a Presidency Magistrate, Taluk Magistrate, Deputy Tahsildar or Stationary Sub-Magistrate having jurisdiction over the place mentioned in the address as entered against the elector's name in the electoral roll or as intimated under sub-rule (2) of rule 75, as the case may be. If the elector is not personally known to such officer, he shall be identified by two respectable witnesses who shall also sign the declaration as having identified the elector. For the purpose of identification, the testimony of the village officers of the village in which the elector resides shall be accepted as sufficient. The officer before whom the elector signs the declaration shall forward it himself to the Returning Officer of the constituency concerned.

83. No election shall be invalidated by reason that an elector has not received his ballot paper provided that a ballot paper has been issued to him in accordance with these rules.

Counting of Votes.

84. The counting of votes shall commence on the day appointed by the Governor in that behalf at such time and place as the Returning Officer may fix. The Returning Officer shall give notice in writing of the date, time and place aforesaid to all candidates and election agents.

85. Votes shall be counted by, or under the supervision of, the Returning Officer, and each candidate, the election agent of each candidate, and one representative of each candidate authorized in writing by the candidate shall have a right to be present at the time of counting. No other person shall be allowed to be present except such persons as the Returning Officer may appoint to assist him in counting votes and no person shall be appointed to assist in counting the votes who has been employed by or on behalf of any candidate for any purpose whatsoever connected with the election.

86. The Returning Officer shall, before he commences to count the votes, read the provisions of section 14 of the Indian Election Offences and Inquiries Act, 1920, to such persons as may be present, and shall then proceed as follows:—

(*a*) (i) If the constituency is one in which the voting is personal, the ballot-box or boxes relating to all polling stations

in the constituency bearing the same serial number and colour and all envelopes of the same colour as those boxes, enclosed in covers which may have been received under rules 70 and 73 shall be opened one after another. The Returning Officer shall take out the ballot papers therefrom, count them and record the number thereof in a statement. He shall then have all the boxes of another serial number and colour opened and the ballot papers taken out, counted and the number recorded in the statement and similarly with boxes of as many serial numbers and colours as may have been prescribed for the constituency.

(ii) If the constituency is one for which postal voting is prescribed, the covers received from or deposited by electors under the proviso to rule 80, shall be opened one after another and the envelopes and declaration papers taken out therefrom. If a cover should contain no declaration paper outside the envelope, the envelope enclosed in such cover shall be rejected and the Returning Officer shall endorse the word "rejected" on the envelope. If a cover contains a declaration paper, the Returning Officer shall examine whether the declaration paper is the one sent out by him and whether the declaration and attestation are *prima facie* regular. If he is not satisfied that a declaration paper is the one sent out by him to the elector concerned or if the declaration or attestation is not in order, he shall endorse the word "rejected" on the back of the declaration paper and keep it with the connected envelope in a separate bundle. If more than one declaration paper or more than one envelope is enclosed in one and the same cover, all the declaration papers and envelopes contained in the cover shall be rejected, and the Returning Officer shall endorse the word "rejected" on the back of each declaration paper and keep the declaration papers so rejected and the envelopes contained in the cover in the same bundle of rejected papers. He shall file the other declaration papers and the envelopes containing the corresponding ballot papers in a separate heap. These envelopes shall then be opened, the ballot papers enclosed therein taken out, and counted, and the total thereof recorded by the Returning Officer in a statement.

The Returning Officer shall then mix together all the ballot papers so counted and totalled up and distribute them in convenient bundles to the persons appointed to assist in counting the votes.

(*b*) The Returning Officer shall allow the candidates and their agents reasonable opportunities to inspect, without handling, all ballot papers which in his opinion are liable to be rejected. He shall endorse on every ballot paper which

is wholly or partially rejected the word "rejected." If any candidate or agent present questions the correctness of the rejection, he shall also record on the ballot paper the grounds for the rejection. No candidate or agent shall be allowed to see the serial number on the back of any ballot paper.

(c) The Returning Officer shall, as far as practicable, proceed continuously with the counting of the votes; and shall, during any necessary intervals during which the counting has to be suspended, place the ballot papers, packets and other documents relating to the election under his own seal and the seals of such candidates or agents as may desire to affix them, and shall cause adequate precautions to be taken for their custody.

87. (1) A ballot paper shall be rejected if—

(a) *in the case of all constituencies*—both personal vote and postal vote—it bears any mark by which the elector can be identified;

(b) *in the case of personal vote constituencies*—

(i) it does not bear the official stamp prescribed in rule 61;

(ii) it bears the mark belonging to a constituency different from that of the ballot box in which it is found; and

(c) *in the case of postal vote constituencies*—

(i) the number of votes recorded thereon exceeds the number of vacancies to be filled;

(ii) no vote is recorded thereon;

(iii) it is void for uncertainty;

(iv) the cover, enclosing the elector's declaration paper and the envelope containing his ballot paper, has neither been sent by registered post so as to reach the Returning Officer not later than the day and the latest hour fixed for the poll nor deposited in the ballot-box provided in the office of the Returning Officer on the day and during the hours fixed for the poll;

(v) the cover contains no declaration paper outside the envelope;

(vi) more than one declaration paper or envelope containing the ballot paper have been enclosed in one and the same cover;

(vii) the declaration paper is not the one sent out by the Returning Officer to the elector or the declaration or attestation is not in order:

Provided that in a case where more than one vote can be given on the same ballot paper, if one of the marks is so placed as to render it doubtful to which

candidate it was intended to apply, the vote concerned but not the whole ballot paper shall be invalid on that account.

(2) Except on the abovementioned grounds, a ballot paper shall not be rejected.

(3) The decision of the Returning Officer as to the validity of a ballot paper shall be final, subject only to reversal on an election petition.

88. When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates, as the case may be, to whom the largest number of votes has been given to be elected :

Provided that, if a seat is reserved, the Returning Officer shall first declare to be elected the Scheduled caste candidate to whom the largest number of votes has been given.

89. Where an equality of votes is found to exist between any candidates and the addition of one vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

90. (1) The Returning Officer shall without delay report the result of the election to the Secretary to the Assembly and to the Government.

(2) As soon as may be after the expiration of the time fixed for the election of members, the names of members elected for the constituencies concerned shall be notified in the Gazette by the Government.

91. The following procedure shall apply to constituencies other than those for which postal voting is allowed :—

The Returning Officer shall not open the sealed packets of the tendered votes, the marked copy of the electoral roll or the counterfoils of the ballot papers. He shall verify the statement submitted by the presiding officer under rule 72 by comparing it with the number of accepted ballot papers and of rejected ballot papers and the unused ballot papers in his possession, shall then re-close and re-seal each packet which has been opened by him, and shall record on each packet a description of its contents and the date of the election to which it refers.

92. The following procedure shall apply in the case of postal vote constituencies :—

Upon the completion of the counting, the Returning Officer shall seal up in separate packets—

(1) the counted ballot papers ;

(2) the rejected declaration papers and connected envelopes ;

(3) the ballot papers rejected at the count;

(4) the rejected envelopes and the connected declaration papers, if any; and

(5) the marked copy of the electoral roll.

He shall also prepare and sign a statement in Form XV and shall record on each packet a description of its contents and the date of the election to which it refers.

93. In the case of all constituencies—both Personal and Postal—the Returning Officer shall then prepare and certify a return in Form XVI setting forth—

(1) the names of the candidates for whom valid votes have been given,

(2) the number of valid votes given for each candidate,

(3) the name of the candidate elected,

(4) the number of votes declared invalid, and

(5) the number of tendered votes given,

and shall permit any candidate or any representative duly authorized under rule 85 to take a copy or an extract from such return.

94. (1) The Returning Officer shall forward a copy of the return made under rule 93 to the Government as soon as possible after reporting the result of the election as required by rule 90.

(2) All the packets relating to the elections shall remain in the custody of the Returning Officer.

95. The packets of ballot papers whether counted, rejected or tendered, and of the counterfoils thereof, or of the declaration papers as the case may be, shall not be opened and their contents shall not be inspected or produced except under the order of a competent Court or of Commissioners appointed to hold an inquiry in respect of an election, but all other documents relating to the election shall be open to inspection subject to such conditions as the Governor may impose and to the payment of a fee of Rs. 5.

96. (1) The packets aforesaid shall be retained for a period of one year and shall thereafter be destroyed subject to any direction to the contrary made by the Governor, or by a competent Court or by Commissioners appointed to hold an inquiry in respect of an election.

(2) The nomination papers of candidates and the withdrawals from candidature shall be kept in the office of the Returning Officer concerned and shall be destroyed after five years, unless otherwise ordered by the Governor.

Election Agents and Expenses.

97. No person who is for the time being disqualified under the provisions of Part IV of the Corrupt Practices Order from being a member of a Provincial Legislature or from voting at elections, shall, so long as the disqualification exists, be employed by or on behalf of a candidate as an agent in connexion with any

election, including a primary election, held under the provisions of these rules.

98. The books of account to be kept by an election agent shall contain a statement of all payments made by the candidate or by his election agent or by any person on behalf of the candidate or in his interest, for expenses incurred on account of, or in respect of, the conduct and management of the election and further a statement of all unpaid claims in respect of such expenses of which he or his election agent is aware. The particulars to be entered in the books of account shall be those given in Schedule III.

99. The time within which a return of the election expenses of a person who has been nominated as a candidate shall be lodged with the Returning Officer shall be thirty-five days from the date of publication of the result of the final election.

100. (1) The return of election expenses shall contain the particulars specified in Schedule III and shall be in the form given in Schedule IV and shall be accompanied by declarations by the candidate and his election agent, in the forms subjoined to that Schedule, made on oath or affirmation before a Magistrate.

(2) The declaration to be made by a candidate who owing to absence from India is unable to sign the return and declaration required by sub-rule (i) shall be in the special form subjoined to Schedule IV and shall be lodged within fourteen days after the return of the candidate to India.

101. (1) When any return and the declarations made in respect thereof have been lodged with the Returning Officer, the Returning Officer shall, as soon as may be, cause a notice of the date on which the return and declarations in question have been lodged, and of the time and place at which they can be inspected, to be fixed in some conspicuous place in his office and to be published in the Gazette, and any person shall, on payment of a fee of one rupee, be entitled to inspect any such return or declaration.

(2) Certified copies of the return of election expenses and the declarations made in respect of them authenticated by the Returning Officer or any person authorized by him for the purpose shall be given on payment of the same fees as are prescribed for grant of copies of public documents in the Standing Order of the Board of Revenue No. 173.

(3) (i) A record showing—

(*a*) the names of the candidates,

(*b*) the names of the election agents of each such candidate,

(*c*) the date of each election,

(*d*) the name of each constituency in which an election has been held, and

(c) the date on which the return of election expenses of each candidate has been lodged with the Returning Officer,

shall be prepared by the Government, as soon as possible after the completion of each election.

(ii) The particulars required for the preparation of the record mentioned above shall be furnished by the Returning Officers concerned.

(iii) The record shall be open to inspection by the public.

(iv) The record of each election shall be maintained for six years from the date of each election.

(v) Separate records shall be maintained for general elections and by-elections.

102. The following shall be the maxima of election expenses (including the personal expenses of candidates) which may be incurred by a candidate for an election in a constituency of the Madras Legislative Assembly :—

Nature of constituency.	Maximum limit of expenditure.
(a) Where the number of registered electors is 8,000 or less.	Rs. 1,000
(b) In all other cases	Two annas for every registered elector.

Decision of Doubts and Disputes as to the validity of elections.

103. In relation to a primary election held for the purpose of electing candidates for a seat reserved in the Madras Legislative Assembly for members of the scheduled castes, the provisions of Parts II and III of the Corrupt Practices Order, 1936, shall be subject to the following adaptations and modifications, namely :—

(a) An election petition against any candidate elected at a primary election, shall be presented, if the election took place in the City of Madras, to the Collector of Madras and, if the election took place elsewhere in the Presidency, to the District Magistrate, within two days after the date of the declaration of the result of the election.

(b) The Collector of Madras or the District Magistrate, as the case may be, or an officer deputed by him shall, after due notice to the respondents, hold a summary inquiry at such time and place as he may fix, record evidence in the manner provided for summary trials in the Code of Criminal Procedure, 1898, and pass orders on the petition as quickly as possible on the lines of paragraphs 7 to 10 of Part III of the said order.

(c) Any order passed by the Collector of Madras or a District Magistrate under sub-rule (2) shall be final.

104. An election petition against any returned candidate shall be deemed to have been presented to the Governor when it is

delivered to the Governor or to an officer appointed by him in that behalf—

(*a*) by the person making the petition; or

(*b*) by a person authorized in writing in that behalf by the person making the petition; or

(*c*) by registered post.

105. An election petition may be presented—

(*a*) by any candidate or elector on any ground within fourteen days from the date on which the return of the election expenses of the returned candidate and the declarations referred to in rule 100 are published in the Gazette by the Returning Officer as required by sub-rule (1) of rule 101; or

(*b*) within thirty days from that date by an officer empowered in that behalf by the Governor on the ground that the election has not been a free election by reason of the large number of cases in which undue influence or bribery has been exercised or committed.

Explanation I.—When the last day of the period for the presentation of an election petition under sub-rule (*a*) or (*b*) is a public holiday within the meaning of section 25 of the Negotiable Instruments Act, 1881, or has been notified by the Local Government as a day to be observed as a holiday in Government offices, the petition shall be considered as having been received in due time if it is presented on the next succeeding day which is neither such a public holiday nor a day so notified.

Explanation II.—For the purpose of sub-rule (*a*), the date on which the return of the election expenses and the declarations are received by the Returning Officer shall, in the case of a candidate referred to in sub-rule (2) of rule 100, be the date on which the declaration under that sub-rule is received.

106. (1) An election petition shall contain a statement in concise form of the material facts on which the petitioner relies and shall, where necessary, be divided into paragraphs numbered consecutively. It shall be signed by the petitioner and verified in the manner prescribed for the verification of pleadings in the Code of Civil Procedure, 1908.

(2) The petition shall be accompanied by a list signed and verified in like manner setting forth full particulars of any corrupt practice which the petitioner alleges, including as full a statement as possible as to the names of the parties alleged to have committed any corrupt practice and the date and place of the commission of each such practice.

(3) The Commissioners may, upon such terms as to costs and otherwise as they may direct at any time, allow the particulars included in the said list to be amended or order such further and better particulars in regard to any matter referred to therein to be furnished as may in their opinion be necessary for the purpose of ensuring a fair and effectual trial of the petition.

107. The petitioner may, if he so desires, in addition to calling in question the election of the returned candidate, claim a declaration that he himself or any other candidate has been duly elected; in which case he shall join as respondents to his petition, all other candidates who were nominated at the election.

108. At the time of presentation of the petition, the petitioner shall, except where the petition is presented under clause (*b*) of rule 105, deposit with it the sum of one thousand rupees in cash or in Government Promissory notes of equal value at the market rate of the day as security for the costs of the same, provided that such deposit in the case of a petition relating to a primary election shall be two hundred and fifty rupees only.

109. (1) An election petition shall abate only on the death of a sole petitioner or of the survivor of several petitioners:

Provided that, where such sole petitioner was an officer empowered by the Governor, the proceedings may be continued by any other officer empowered in like manner.

(2) Notice of the abatement of an election petition shall be published in the gazette by the Commissioners, or, if the petition abates before any Commissioner has been appointed, by the Governor.

(3) Any person who might himself have been a petitioner may, within fourteen days of such publication, apply to be substituted as petitioner, and, upon compliance with the conditions of rule 108 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioners may think fit.

110. (1) An election petition may be withdrawn only by leave of the Commissioners, or if an application for withdrawal is made before any Commissioner has been appointed, of the Governor.

(2) If there are more petitions than one, no application to withdraw a petition shall be made except with the consent of all the petitioners.

(3) When an application for withdrawal is made to the Commissioners notice thereof fixing a date for the hearing of the application shall be given to all other parties to the petition and shall be published in the Gazette.

(4) No application for withdrawal shall be granted if in the opinion of the Governor or of the Commissioners, as the case may be, such application has been induced by any bargain or consideration which ought not to be allowed.

(5) If the application is granted—

(*a*) the petitioner shall, where the application has been made to the Commissioner, be ordered to pay the costs of the respondent theretofore incurred or such portion thereof as the Commissioners may think fit;

(*b*) notice of the withdrawal shall be published in the Gazette by the Governor or by the Commissioners as the case may be; and

(*c*) any person who might himself have been a petitioner may, within fourteen days of such publication, apply to be substituted as petitioner in place of the party withdrawing, and upon compliance with the conditions of rule 108 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioners may think fit; and

(6) When an application for withdrawal is granted by the Commissioners and no person has been substituted as petitioner in place of the party withdrawing under clause (*c*) of sub-rule (5), the Commissioners shall report the fact to the Governor.

111. If before the conclusion of the trial of an election petition the respondent dies or gives notice that he does not intend to oppose the petition, the Commissioners shall cause notice of such event to be published in the Gazette, and thereupon any person who might have been a petitioner may, within fourteen days of such publication, apply to be substituted for such respondent to oppose the petition, and shall be entitled to continue the proceedings upon such terms as the Commissioners may think fit.

112. (1) The Governor may dismiss an election petition for non-compliance with these rules.

(2) If the petition is not dismissed under sub-rule (1), it shall be referred to a Commission appointed by the Governor in the manner provided in sub-paragraph (1) of paragraph 4 of Part III of the Corrupt Practices Order.

(3) The President of the Commission shall, as soon as may be, cause a copy of the petition to be served on each respondent and to be published in the Gazette, and may call on the petitioner to execute a bond in such amount and with such sureties as he may require for the payment of any further costs. At any time within fourteen days after such publication, any other candidate shall be entitled to be joined as a respondent on giving security in a like amount and procuring the execution of a like bond:

Provided that the execution of such a bond by the petitioner shall not be required in any case where the petition has been presented under sub-rule (*b*) of rule 105.

113. Subject to the other provisions of these rules every election petition shall be inquired into by the Commissioners, as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1908, to the trial of suits:

Provided that it shall only be necessary for the Commissioners to make a memorandum of the substance of the evidence of any witness examined by them.

114. The inquiry shall be held at such place as the Governor may appoint :

Provided that the Commissioners may in their discretion sit at any other place in the Presidency for any part of the inquiry, and may depute any one of their number to take evidence at any place in the Province.

115. (1) Where at an inquiry into an election petition any candidate, other than the returned candidate, claims the seat for himself, the returned candidate or any other party may give evidence to prove that the election of such candidate would have been void, if he had been the returned candidate and a petition had been presented complaining of his election :

Provided that the returned candidate or such other party as aforesaid shall not be entitled to give such evidence unless he has, within fourteen days from the date of publication of the election petition under sub-rule (3) of rule 112, given notice of his intention to the Commissioners and made the deposit and procured the execution of the bond referred to in rules 108 and 112, respectively.

(2) Every notice referred to in sub-rule (1) shall be accompanied by the statement and list of particulars required by rule 106 in the case of an election petition and shall be signed and verified in like manner.

116. Election petitions with the proceedings and reports of the Election Commissioners thereon shall be kept by the Government and shall be destoryed after five years unless otherwise ordered by the Governor.

117. (1) If any person is elected by more than one constituency of the Assembly, he shall, by notice in writing signed by him and delivered to the Secretary to the Assembly within seven days from the date of the publication of the result of such election in the Gazette, choose for which of the constituencies he shall serve and his choice shall be conclusive.

(2) When any such choice has been made, the Governor shall call upon the constituency or constituencies not chosen by such person to elect another person or persons.

(3) If the candidate does not make the choice referred to in sub-rule (1) of this rule, the elections of such person shall be void and the Governor shall call upon the constituencies concerned to elect other persons.

SCHEDULE I.

[Rule 10.]

Name of constituency. (1)	Returning Officer. (2)	Other officers who may perform the duties of a Returning Officer. (3)
I. GENERAL CONSTITUENCIES.		
(a) URBAN.		
1 Madras City, North.	Commissioner, Corporation of Madras.	Presidency Magistrates other than the Chief Presidency Magistrate.
2 Madras City, North—Central.	Do.	
3 Madras City, South—Central.	Do.	
4 Madras City, South.	Do.	
5 Vizagapatam Town.	Collector of Vizagapatam.	Treasury Deputy Collector, Vizagapatam, and Revenue Divisional Officer, Vizagapatam.
6 Cocanada Town ..	Collector of East Godavari.	Treasury Deputy Collector, East Godavari.
7 Bezwada *cum* Masulipatam towns.	Collector of Kistna.	Treasury Deputy Collector, Kistna.
8 Guntur *cum* Tenali towns.	Collector of Guntur.	Treasury Deputy Collector, Guntur.
9 Tanjore *cum* Kumbakonam towns.	Collector of Tanjore.	Treasury Deputy Collector, Tanjore.
10 Trichinopoly *cum* Srirangam towns.	Collector of Trichinopoly.	Treasury Deputy Collector, Trichinopoly.
11 Madura town ..	Collector of Madura.	Treasury Deputy Collector, Madura, and Deputy Collector, Madura Division.
12 Tinnevelly *cum* Palamcottah towns.	Collector of Tinnevelly.	Treasury Deputy Collector, Tinnevelly.
13 Coimbatore town ..	Collector of Coimbatore	Treasury Deputy Collector, Coimbatore.
14 Salem town ..	Collector of Salem.	Treasury Deputy Collector, Salem.
(b) RURAL.		
15 Tekkali	Revenue Divisional Officer, Chicacole.	Deputy Tahsildar, Tekkali.
16 Chicacole	Do. do.	Tahsildar, Chicacole.
17 Bobbili	Revenue Divisional Officer, Parvatipur.	Deputy Tahsildar, Bobbili.
18 Palakonda	Do. do.	Tahsildar, Palakonda.
19 Vizianagram ..	Revenue Divisional Officer, Vizianagram.	Tahsildar, Vizianagram.
20 Sarvasiddhi ..	Revenue Divisional Officer, Narsapatnam.	Tahsildar, Sarvasiddhi.
21 Viravalli	Do. do.	Tahsildar, Viravalli.
22 Vizagapatam ..	Revenue Divisional Officer, Vizagapatam.	Tahsildar, Vizagapatam.
23 Rajahmundry ..	Revenue Divisional Officer, Rajahmundry.	Revenue Divisional Officer, Bhadrachalam and Tahsildar, Rajahmundry.
24 Amalapuram ..	Revenue Divisional Officer, Amalapuram.	Tahsildar, Amalapuram.
25 Cocanada	Revenue Divisional Officer, Cocanada.	Revenue Divisional Officer, Peddapuram and Tahsildar, Cocanada
26 Ellore	Revenue Divisional Officer, Ellore.	Revenue Divisional Officer, Kovvur, and Tahsildar, Ellore.
27 Bhimavaram ..	Revenue Divisional Officer, Bhimavaram.	Tahsildar, Bhimavaram.
28 Narasapur ..	Revenue Divisional Officer, Narasapur.	Tahsildar, Narasapur.
29 Bandar	Revenue Divisional Officer, Bandar.	Revenue Divisional Officer, Gudivada, and Tahsildar, Bandar.
30 Bezwada	Revenue Divisional Officer, Bezwada.	Revenue Divisional Officer, Nuzvid, and Tahsildar, Bezwada.
31 Guntur	Revenue Divisional Officer, Guntur.	Tahsildar, Guntur.
32 Narasaraopet ..	Revenue Divisional Officer, Narasaraopet.	Tahsildar, Narasaraopet.
33 Tenali	Revenue Divisional Officer, Tenali.	Tahsildar, Tenali.
34 Ongole	Revenue Divisional Officer, Ongole.	Tahsildar, Ongole.
35 Gudur	Revenue Divisional Officer, Gudur.	Tahsildar, Gudur.
36 Nellore	Revenue Divisional Officer, Nellore.	Tahsildar, Nellore.
37 Kavali	Revenue Divisional Officer, Kavali.	Tahsildar, Kavali.

Name of constituency. (1)	Returning Officer. (2)	Other officers who may perform the duties of a Returning Officer. (3)
	I. GENERAL CONSTITUENCIES—*cont.*	
	(*b*) RURAL—*cont.*	
38 Kandukur ..	Revenue Divisional Officer, Kandukur.	Tahsildar, Kandukur.
39 Rajampet ..	Revenue Divisional Officer, Rajampet.	Tahsildar, Rajampet.
40 Cuddapah ..	Revenue Divisional Officer, Cuddapah.	Revenue Divisional Officer, Jammalamadugu, and Tahsildar, Cuddapah.
41 Penukonda ..	Revenue Divisional Officer, Penukonda.	Tahsildar, Penukonda.
42 Gooty	Revenue Divisional Officer, Gooty.	Tahsildar, Gooty.
43 Anantapur ..	Revenue Divisional Officer, Anantapur.	Tahsildar, Anantapur.
44 Bellary	Revenue Divisional Officer, Bellary.	Revenue Divisional Officer, Adoni, and Tahsildar, Bellary.
45 Hospet	Revenue Divisional Officer, Hospet.	Tahsildar, Hospet.
46 Kurnool	Revenue Divisional Officer, Kurnool.	Revenue Divisional Officer, Dhone, and Tahsildar Kurnool.
47 Nandyal	Revenue Divisional Officer, Nandyal.	Revenue Divisional Officer, Markapur, and Tahsildar, Nandyal.
48 Chandragiri ..	Revenue Divisional Officer, Chandragiri.	Tahsildar, Chandragiri.
49 Tiruttani	Do. do.	Tahsildar, Tiruttani.
50 Madanapalle ..	Revenue Divisional Officer, Madanapalle.	Tahsildar, Madanapalle.
51 Chittoor	Revenue Divisional Officer, Chittoor.	Tahsildar, Chittoor.
52 Conjeeveram ..	Revenue Divisional Officer, Chingleput.	Tahsildar, Conjeeveram.
53 Chingleput ..	Do. do.	Tahsildar, Chingleput.
54 Saidapet	Revenue Divisional Officer, Saidapet.	Tahsildar, Saidapet.
55 Tiruvallur ..	Revenue Divisional Officer, Tiruvallur.	Tahsildar, Tiruvallur.
56 Tirupattur, North Arcot.	Revenue Divisional Officer, Tirupattur.	Tahsildar, Tirupattur.
57 Gudiyattam ..	Do. do.	Tahsildar, Gudiyattam.
58 Vellore	Revenue Divisional Officer, Vellore.	Tahsildar, Vellore.
59 Ranipet	Revenue Divisional Officer, Ranipet.	Tahsildar, Arkonam.
60 Cheyyar	Revenue Divisional Officer, Cheyyar.	Tahsildar, Cheyyar.
61 Tiruvannamalai ..	Revenue Divisional Officer, Tiruvannamalai.	Tahsildar, Tiruvannamalai.
62 Tindivanam ..	Revenue Divisional Officer, Tindivanam.	Tahsildar, Tindivanam.
63 Villupuram ..	Do. do.	Tahsildar, Villupuram.
64 Chidambaram ..	Revenue Divisional Officer, Chidambaram.	Tahsildar, Chidambaram.
65 Cuddalore ..	Revenue Divisional Officer, Cuddalore.	Tahsildar, Cuddalore.
66 Tirukkoyilur ..	Revenue Divisional Officer, Tirukkoyilur.	Tahsildar, Tirukkoyilur.
67 Tanjore	Revenue Divisional Officer, Tanjore.	Revenue Divisional Officer, Pattukkottai, and Tahsildar, Tanjore.
68 Kumbakonam ..	Revenue Divisional Officer, Kumbakonam.	Tahsildar, Kumbakonam.
69 Mayavaram ..	Revenue Divisional Officer, Mayavaram.	Tahsildar, Mayavaram.
70 Mannargudi ..	Revenue Divisional Officer, Mannargudi.	Tahsildar, Mannargudi.
71 Negapatam ..	Revenue Divisional Officer, Negapatam.	Tahsildar, Negapatam.
72 Trichinopoly ..	Revenue Divisional Officer, Trichinopoly.	Revenue Divisional Officer, Karur, and Tahsildar, Trichinopoly.
73 Musiri	Revenue Divisional Officer, Musiri.	Tahsildar, Musiri.
74 Ariyalur	Revenue Divisional Officer, Ariyalur.	Tahsildar, Udaiyarpalaiyam.
75 Dindigul	Revenue Divisional Officer, Dindigul.	Tahsildar, Dindigul.
76 Palni	Do. do.	Tahsildar, Palni.
77 Periyakulam ..	Revenue Divisional Officer, Usilampatti.	Tahsildar, Periyakulam.
78 Tirumangalam ..	Do. do.	Tahsildar, Tirumangalam.
79 Melur	Revenue Divisional Officer, Melur.	Tahsildar, Melur.
80 Srivilliputtur ..	Revenue Divisional Officer, Sivakasi.	Tahsildar, Srivilliputtur.
81 Sattur	Do. do.	Tahsildar, Sattur.
82 Ramnad	Revenue Divisional Officer, Ramnad.	Tahsildar, Ramnad.
83 Tirupattur (Ramnad).	Revenue Divisional Officer, Devakottai.	Tahsildar, Tirupattur.
84 Sivaganga ..	Do. do.	Tahsildar, Sivaganga.
85 Tuticorin	Revenue Divisional Officer, Tuticorin.	Tahsildar, Srivaikuntam.
86 Koilpatti	Revenue Divisional Officer, Koilpatti.	Tahsildar, Koilpatti.
87 Shermadevi ..	Revenue Divisional Officer, Shermadevi.	Tahsildar, Ambasamudram.
88 Tinnevelly ..	Revenue Divisional Officer, Tinnevelly.	Tahsildar, Tinnevelly.
89 Pollachi	Revenue Divisional Officer, Pollachi.	Tahsildar, Pollachi.
90 Palladam	Do. do.	Tahsildar, Palladam.
91 Erode	Revenue Divisional Officer, Erode.	Tahsildar, Erode.
92 Dharapuram ..	Do. do.	Tahsildar, Dharapuram.
93 Gobichettipalaiyam.	Revenue Divisional Officer, Gobichettipalaiyam.	Tahsildar, Gobichettipalaiyam.
94 Coimbatore ..	Revenue Divisional Officer, Coimbatore.	Tahsildar, Coimbatore.
95 The Nilgiris ..	Collector of the Nilgiris.	Treasury Deputy Collector, the Nilgiris.
96 Hosur	Revenue Divisional Officer, Hosur.	Tahsildar, Hosur.
97 Dharmapuri ..	Revenue Divisional Officer, Dharmapuri.	Tahsildar, Dharmapuri.
98 Tiruchengodu ..	Revenue Divisional Officer, Sankari.	Tahsildar, Tiruchengodu.
99 Omalur	Do. do.	Tahsildar, Omalur.

Name of constituency. (1)	Returning Officer. (2)	Other officers who may perform the duties of a Returning Officer. (3)
I. GENERAL CONSTITUENCIES—*cont*		
(*b*) RURAL—*cont.*		
100 Namakkal ..	Revenue Divisional Officer, Namakkal.	Tahsildar, Namakkal.
101 Salem	Revenue Divisional Officer, Salem.	Tahsildar, Salem.
102 Coondapoor ..	Revenue Divisional Officer, Coondapoor.	Tahsildar, Coondapoor.
103 Puttur	Revenue Divisional Officer, Puttur.	Tahsildar, Puttur.
104 Mangalore ..	Revenue Divisional Officer, Mangalore.	Tahsildar, Mangalore.
105 Chirakkal ..	Revenue Divisional Officer, Tellicherry.	Tahsildar, Chirakkal.
106 Kottayam ..	Do. do.	Tahsildar, Kottayam.
107 Malappuram ..	Revenue Divisional Officer, Malappuram.	Tahsildar, Ernad.
108 Calicut	Revenue Divisional Officer, Calicut.	Tahsildar, Calicut.
109 Kurumbranad ..	Do. do.	Tahsildar, Kurumbranad.
110 Palghat	Revenue Divisional Officer, Palghat.	Tahsildar, Palghat.
111 Ponnani	Do. do.	Revenue Divisional Officer, Cochin, and Tahsildar, Ponnani.
II. MUHAMMADAN CONSTITUENCIES.		
(1) URBAN.		
1 Madras City ..	Commissioner, Corporation of Madras.	Presidency Magistrates other than the Chief Presidency Magistrate.
2 Calicut *cum* Cannanore *cum* Tellicherry towns.	Collector of Malabar.	Treasury Deputy Collector, Malabar.
(2) RURAL.		
3 Vizagapatam *cum* East Godavari.	Collector of East Godavari	Treasury Deputy Collector, East Godavari, Collector of Vizagapatam.
4 West Godavari *cum* Kistna.	Collector of Kistna.	Treasury Deputy Collector, Kistna, Collector of West Godavari.
5 Guntur	Collector of Guntur.	Treasury Deputy Collector, Guntur.
6 Nellore	Collector of Nellore.	Treasury Deputy Collector, Nellore.
7 Cuddapah	Collector of Cuddapah.	Treasury Deputy Collector, Cuddapah.
8 Kurnool	Collector of Kurnool.	Treasury Deputy Collector, Kurnool.
9 Bellary	Collector of Bellary.	Treasury Deputy Collector, Bellary.
10 Anantapur	Collector of Anantapur.	Treasury Deputy Collector, Anantapur.
11 Chittoor	Collector of Chittoor.	Treasury Deputy Collector, Chittoor.
12 Chingleput *cum* South Arcot.	Collector of South Arcot.	Treasury Deputy Collector, South Arcot, Collector of Chingleput.
13 North Arcot ..	Collector of North Arcot.	Treasury Deputy Collector, North Arcot.
14 Tanjore	Collector of Tanjore.	Treasury Deputy Collector, Tanjore.
15 Trichinopoly ..	Collector of Trichinopoly.	Treasury Deputy Collector, Trichinopoly.
16 Madura	Collector of Madura.	Treasury Deputy Collector, Madura.
17 Ramnad	Collector of Ramnad.	Treasury Deputy Collector, Ramnad.
18 Tinnevelly	Collector of Tinnevelly.	Treasury Deputy Collector, Tinnevelly.
19 Salem *cum* Coimbatore *cum* the Nilgiris.	Collector of Salem.	Treasury Deputy Collector, Salem, Collectors of Coimbatore and the Nilgiris.
20 Chirakkal	Revenue Divisional Officer, Tellicherry.	Tahsildar, Chirakkal.
21 Kottayam	Do. do.	Tahsildars of Kottayam and Wynaad.
22 Calicut	Revenue Divisional Officer, Calicut.	Tahsildar, Calicut.
23 Malappuram ..	Revenue Divisional Officer, Malappuram.	Tahsildar, Ernad.
24 Palghat	Revenue Divisional Officer, Palghat	Tahsildar, Palghat.
25 Puttur	Revenue Divisional Officer, Puttur.	Tahsildar, Puttur.
26 Mangalore	Revenue Divisional Officer, Mangalore.	Revenue Divisional Officer, Coondapoor, Tahsildar, Mangalore.

Name of constituency. (1)	Returning Officer. (2)	Other officers who may perform the duties of a Returning Officer. (3)
III. WOMEN'S CONSTITUENCIES.		
(1) GENERAL—URBAN.		
1 Madras City ..	Commissioner, Corporation of Madras.	Presidency Magistrates other than the Chief Presidency Magistrate.
2 Ellore town ..	Revenue Divisional Officer, Ellore.	Tahsildar, Ellore.
3 Tellicherry *cum* Calicut towns.	Revenue Divisional Officer, Tellicherry.	Revenue Divisional Officer, Calicut, Tahsildar, Chirakkal.
(2) GENERAL—RURAL.		
4 Cuddalore	Revenue Divisional Officer, Cuddalore.	Tahsildar, Cuddalore.
5 Bellary	Revenue Divisional Officer, Bellary.	Tahsildar, Bellary.
6 Dindigul	Revenue Divisional Officer, Dindigul.	Tahsildar, Dindigul.
(3) MUHAMMADAN—URBAN.		
7 Madras City ..	Commissioner, Corporation of Madras.	Presidency Magistrates other than the Chief Presidency Magistrate.
(4) INDIAN CHRISTIAN—URBAN.		
8 Tinnevelly *cum* Palamcottah *cum* Tuticorin towns.	Revenue Divisional Officer, Tuticorin.	Revenue Divisional Officer, Tinnevelly, Tahsildars of Srivaikuntam and Tinnevelly.
IV. ANGLO-INDIAN CONSTITUENCY		
Anglo-Indian	Collector of Madras.	Assistant Superintendent of Stationery.
V. EUROPEAN CONSTITUENCY.		
European	Collector of Madras.	Assistant Superintendent of Stationery.
VI. INDIAN CHRISTIAN CONSTITUENCIES.		
1 Northern Circars ..	Collector of West Godavari.	Treasury Deputy Collector, West Godavari, Collectors of Vizagapatam, East Godavari and Kistna.
2 Guntur *cum* Nellore.	Collector of Guntur.	Treasury Deputy Collector, Guntur, Collector of Nellore.
3 Central districts ..	Collector of Kurnool.	Treasury Deputy Collector, Kurnool, Collectors of Cuddapah, Bellary, Anantapur, Chittoor and North Arcot.
4 Madras *cum* Chingleput.	Collector of Madras.	Assistant Superintendent of Stationery, Madras, Collector of Chingleput.
5 South Arcot *cum* Trichinopoly *cum* Salem *cum* Coimbatore.	Collector of Trichinopoly.	Treasury Deputy Collector, Trichinopoly, Collectors of South Arcot, Salem and Coimbatore.
6 Tanjore *cum* Madura *cum* Ramnad.	Collector of Ramnad.	Treasury Deputy Collector, Ramnad, Collectors of Tanjore and Madura.
7 Tinnevelly	Collector of Tinnevelly.	Treasury Deputy Collector, Tinnevelly.
8 West Coast	Collector of South Kanara.	Treasury Deputy Collector, South Kanara, Collectors of the Nilgiris, and Malabar.
VII. BACKWARD AREAS and TRIBES CONSTITUENCY.		
Backward Tribal ..	Collector of Vizagapatam.	Treasury Deputy Collector, Vizagapatam, Revenue Divisional Officers, Narasapatnam and Peddapuram.

Name of constituency. (1)	Returning Officer. (2)	Other officers who may perform the duties of a Returning Officer. (3)
VIII. COMMERCE, INDUSTRY and PLANTING CONSTITUENCIES.		
1 European Commerce.	Collector of Madras.	Assistant Superintendent of Stationery.
2 The Southern India Chamber of Commerce.	Do.	Do.
3 The Nattukkottai Nagarathars' Association.	Do.	Do.
4 Madras Planters ..	Collector of the Nilgiris,	Treasury Deputy Collector, the Nilgiris.
IX. LANDHOLDERS' CONSTITUENCY.		
1 Northern Landholders I.	Collector of Vizagapatam.	Treasury Deputy Collector, Vizagapatam, Collector of East Godavari.
2 Northern Landholders II.	Collector of Kistna.	Treasury Deputy Collector, Kistna, Collectors of West Godavari and Guntur.
3 Northern Central Landholders.	Collector of Chingleput.	Treasury Deputy Collector, Chingleput, Collectors of Nellore, Chittoor Cuddapah, Madras and Anantapur.
4 Southern Central Landholders.	Collector of Salem.	Treasury Deputy Collector, Salem, Collectors of North Arcot, South Arcot, Coimbatore and Trichinopoly.
5 Southern Landholders,	Collector of Tanjore.	Treasury Deputy Collector, Tanjore, Collectors of Madura, Ramnad and Tinnevelly.
6 West Coast Landholders.	Collector of Malabar.	Treasury Deputy Collector, Malabar, Collectors of the Nilgiris and South Kanara.
X. LABOUR CONSTITUENCIES.		
(i) TRADE UNION.		
1 Railway Trade Union.	Commissioner of Labour and Rural Uplift.	Personal Assistant to the Commissioner of Labour and Rural Uplift.
2 Textile Workers Trade Union.	Do.	Do.
(ii) NON-UNION LABOUR.		
3 Textile Workers ..	Collector of Coimbatore.	Inspector of Factories, IV Circle.
4 Madras City Dock and Factory Labour (excluding textile and Railway Labour).	Commissioner of Labour and Rural Uplift.	Personal Assistant to the Commissioner of Labour and Rural Uplift.
5 Vizagapatam *cum* East Godavari Dock and Factory Labour.	Collector of Vizagapatam.	Inspector of Factories, II Circle.
6 West Godavari *cum* Kistna *cum* Guntur Factory Labour.	Collector of Guntur.	Inspectors of Factories, II and III Circles.
XI. UNIVERSITY CONSTITUENCY.		
University	Collector of Madras.	Assistant Superintendent of Stationery, Madras.

SCHEDULE II.

[Rules 15 and 36.]

MADRAS LEGISLATIVE ASSEMBLY.

I hereby declare that I have appointed / do hereby appoint

to be my election agent for the election.

Station Signature.

Date

SCHEDULE III.

[Rule 98.]

1. Under the head of receipts, there shall be shown the name and description of every person (including the candidate), club, society or association from whom any money, security or equivalent of money was received in respect of expenses incurred on account of, or in connexion with, or incidental to, the election, and the amount received from each person, club, society or association separately.

2. Under the head of expenditure, there shall be shown—

(*a*) the personal expenditure of the candidate incurred or paid by him or his election agent, including travelling and all other personal expenses incurred in connexion with his candidature;

(*b*) the name, and the rate and total amount of the pay, of each person employed as an agent (including the election agent), clerk or messenger;

(*c*) the travelling expenses and any other expenses incurred by the candidate or his election agent on account of agents (including the election agent), clerks or messengers;

(*d*) the travelling expenses of persons, whether in receipt of salary or not, incurred in connexion with the candidature, and whether paid or incurred by the candidate, his election agent or the person so travelling;

(*e*) the cost whether paid or incurred of—

(i) printing,

(ii) advertising,

(iii) stationery,

(iv) postage,

(v) telegrams,

(vi) rooms hired either for public meetings or as committee rooms, and

(vii) conveyances hired;

(*f*) any other miscellaneous expenses whether paid or incurred.

NOTE.—(1) All expenses incurred in connexion with the candidature whether paid by the candidate, his election agent, or any other person, or remaining unpaid on the date of the return are to be set out.

(2) For all items of Rs. 5 and over, unless from the nature of the case (*e.g.*, travel by rail or postage) a receipt is not obtainable, vouchers are to be attached.

(3) All sums paid but for which no receipt is attached are to be set out in detail with dates of payment.

(4) All sums unpaid are to be set out in a separate list.

SCHEDULE IV.

[Rule 100.]

FORM OF RETURN OF ELECTION EXPENSES.

1. *Receipts.*—Including all moneys, securities and equivalents of money received from any person (including the candidate himself), club, society, or association in respect of any expenses, whether paid or remaining unpaid, incurred on account of or in connexion with or incidental to the election. The name of each such person, etc., and the amount received shall be shown separately:—

Date of receipt.	Name and description of payee.	Amount or value.
	Total, Receipts ..	

2. *Expenses.*—Including all payments made by the candidate or by his election agent by any person on behalf of, or in the interests of the candidate in respect of any expenses incurred on account of or in connexion with or incidental to the election, and all unpaid claims in respect of any such expenses of which the candidate or his election agent is aware:—

N.B.—(1) Vouchers shall be attached to the return for all items of expenditure amounting to Rs. 5 and over, unless from the nature of the case a receipt cannot be obtained; the vouchers shall be numbered and arranged in serial order and the number of the voucher entered in the return against the item of expenditure.

(2) Each payment made shall be entered separately, except payments on account of postage and telegrams for which lump sums may be shown. The name and description of each person paid and the work done or the nature of the goods supplied shall be shown in respect of each payment.

PART A.—*In this Part shall be shown the personal expenditure of the candidate, incurred or paid by him or by his election agent on his behalf including all payments for personal services rendered, for hotel bills, for travelling expenses and for the purchase of books or election literature.*

Name and description of payee.	On what account.	Date of payment.	Voucher number.	Amount paid.	Amount unpaid.
				Total ..	

Part B.—*In this Part shall be shown expenditure incurred by the candidate or his election agent for the remuneration of agents (including the election agent), clerks or messengers. The name and description of each agent, clerk or messenger employed and the rate of remuneration and the amount paid to each shall be shown separately.*

Name and description of payee.	On what account.	Rate of payment.	Date of payment.	Voucher number.	Amount paid.	Amount remaining unpaid.
				Total ..		

Part C.—*In this Part shall be shown all other expenditure (including travelling expenses and cost of refreshments provided) incurred by the candidate or his election agent on account of agents (including the election agent), clerks or messengers. The name and description of each agent, clerk or messenger and the amount paid to each shall be shown.*

Name and description of payee.	On what account.	Date of payment.	Voucher number.	Amount paid.	Amount remaining unpaid.
			Total ..		

Part D.—*In this Part shall be shown the travelling expenses of persons (not being agents, clerks or messengers) whether in receipt of salary or not, incurred or paid by the candidate, his election agent or the person so travelling.*

Name and description of payee.	On what account.	Date of payment.	Voucher number.	Amount paid.	Amount remaining unpaid.
			Total ..		

PART E.—*In this Part the cost of printing shall be shown.*

Name and description of payee.	On what account.	Date of payment, if any.	Voucher number	Amount paid.	Amount unpaid.
			Total ..		

PART F.—*In this Part the cost of advertising shall be shown.*

Name and description of payee.	On what account.	Date of payment, if any.	Voucher number.	Amount paid.	Amount unpaid
			Total ..		

PART G.—*In this Part the cost of stationery shall be shown.*

Name and description of payee.	On what account.	Date of payment, if any.	Voucher number.	Amount paid.	Amount unpaid.
			Total ..		

PART H.—*In this Part the cost of postage and telegrams may be shown in lump sums.*

Expenditure incurred.	Date of payment, if separate payments are shown.	Amount paid.
	Total ..	

PART I.—*In this Part the cost of rooms hired for public meetings or as Committee rooms or as an Office shall be shown.*

Name and description of payee.	Locality and description of rooms.	Date of payment.	Voucher number.	Amount paid.	Amount unpaid.
			Total ..		

PART J.—*In this Part shall be included every disputed claim remaining unpaid.*

Name and description of claimant.	Nature and alleged ground of claim.	Amount of claim.
	Total ..	

PART K.—*In this Part the cost of conveyances hired shall be shown.*

Name and description of payee.	Number and description of conveyances.	Voucher number.	Amount paid.	Amount unpaid.
		Total ..		

PART L.—*In this Part all expenditure incurred and payments made by the candidate or by his election agent or by any person on behalf of or in the interests of the candidate in connexion with the election and not included in any of the foregoing parts shall be shown.*

Name and description of payee.	On what account.	Date of payment, if any.	Voucher number.	Amount paid.	Amount unpaid.
			Total ..		

PART M.—*In this Part the total expenditure incurred under each of the previous parts shall be shown.*

Part.	Paid.	Unpaid.	Total.
A			
B			
C			
D			
E			
F			
G			
H			
I			
J			
K			
L			
Total ..			

Signature of the candidate.

Signature of the election agent.

FORM OF DECLARATION BY ELECTION AGENT.

I

being the appointed election agent for a candidate for election in the

constituency do hereby solemnly affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the expenses herein set forth, no expenses of any nature whatsoever have to my knowledge or belief been incurred in, or for the purposes of

's candidature.

Election Agent.

Solemnly affirmed before me.

Magistrate.

FORM OF DECLARATION BY CANDIDATE.

I

being a candidate for election in the
constituency do hereby solemnly affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the expenses herein set forth, no expenses of any nature whatsoever have to my knowledge or belief been incurred in, or for the purposes of my candidature.

Candidate.

Solemnly affirmed before me.

Magistrate.

SPECIAL FORM OF DECLARATION BY CANDIDATE UNDER RULE 100.

I

being a candidate for election in the
constituency do hereby solemnly affirm that the return of election expenses signed by my election agent is (with the exceptions noted below) true to the best of my knowledge and belief, and that (with the exceptions noted below), no expenses of any nature whatsoever other than the expenses therein set forth have to my knowledge or belief been incurred in, or for the purposes of my candidature.

Particulars of exceptions.

Candidate.

Solemnly affirmed before me.

Magistrate.

FORM I.

Form of Notice.

[See rule 12.]

Whereas the electors belonging to the scheduled castes in the General Constituency of the Madras Legislative Assembly in which a seat has been reserved for members of such castes have been called upon by notification to choose at a primary election on or before a panel of four candidates to stand for election to the said reserved seat; I, , the Returning Officer of the said constituency do hereby give the following:—

Public Notice.

(i) The number of candidates to be elected is four.

(ii) Nomination papers may be delivered to the undersigned at or if he is unavoidably prevented from receiving the same to at . They should be presented between 11 a.m. and 3 p.m. on or before .

(iii) Forms of nomination paper may be obtained at the offices of the persons abovementioned between the hours of and from to .

(iv) The nomination papers will be taken up for scrutiny at on in .

(v) In the event of the election being contested, the poll will take place on between the hours of and with an interval of rest for not more than one hour at the discretion of the presiding officer.

(vi) No elector will be admitted to vote outside the polling area under which his name appears on the electoral roll except when he is employed outside such area on duty in connection with elections, in which case he may apply to the Returning officer for a certificate.

The polling stations at which electors in each polling area may vote are those entered in the electoral roll subject however to the following alterations:—

Number of polling area according to the electoral roll.	Name of polling station finally selected in lieu of the station provisionally entered in the electoral roll.

Station

Date *Returning Officer of Constituency.*

FORM II.

[See rules 13 and 34.]

Nomination Paper.

Name of the constituency for which the candidate is nominated.

Name of candidate

Father's name

Age

Address

Constituency on the electoral roll of which the candidate is registered as an elector.

* Number of the candidate in the electoral roll of the constituency in which he is registered as an elector.

Name of proposer

* Number of the proposer in the electoral roll of the constituency.

Signature of the proposer

Name of the seconder

* Number of the seconder in the electoral roll of the constituency.

Signature of the seconder

Declaration by Candidate.

I hereby declare that I agree to this nomination. . . . . .

Date Signature of candidate.

Certificate of Delivery.

Serial number. . . . . .

This nomination paper was delivered to me at my office at (date and hour . . . . .).

Returning Officer or other authorized person.

Certificate of Scrutiny.

I have scrutinized the eligibility of the candidate, the proposer and seconder, and find that they are respectively qualified to stand for election, to propose and to second the nomination.

Returning Officer or other authorized person.

* Where the electoral roll is subdivided and separate serial numbers are assigned to the electors entered in each subdivision, a description of the subdivision in which the name of the person concerned is entered must also be given here.

FORM III.

[See rule 23.]

Primary election for the election of a panel of Scheduled caste candidates.

Constituency Madras Legislative Assembly.

Final List of Candidates for Election.

Serial number.	Names of candidates.	Address of candidates.
1.		
2.		
3.		
4.		
etc., etc., etc.		

Note.—The poll will be taken on the day of 19 between and at the polling stations already notified.

Returning Officer.

FORM IV.

[See rule 33.]

Form of Notice.

Whereas the constituency of the Madras Legislative Assembly has been called upon by notification to elect a member on or before , I, , the Returning Officer of the said constituency, do hereby give the following

Public Notice.

(i) The number of persons to be elected is

(ii) Nomination papers may be delivered to the undersigned at or if he is unavoidably prevented from receiving the same to at . They should be presented between 11 a.m. and 3 p.m., on or before

(iii) Forms of nomination paper may be obtained at the offices of the persons above mentioned between the hours of and from

(iv) The nomination papers will be taken up for scrutiny at on in

(v) In the event of the election being contested, the poll will take place on between the hours of and with an interval of rest for not more than one hour at the discretion of the presiding officer.

(vi) * No elector will be admitted to vote outside the polling area under which his name appears on the electoral roll except when he is employed outside such area on duty in connexion with elections, in which case he may apply to the Returning Officer for a certificate. The polling stations at which electors in each polling area may vote are those entered in the electoral roll subject however to the following alterations:—

Number of polling area according to the electoral roll.	Name of polling station finally selected in lieu of the station provisionally entered in the electoral roll.

Station

Date *Returning Officer of Constituency.*

* This will be omitted in the case of constituencies for which postal voting is prescribed.

FORM V.

[See rule 47.]

Constituency. Legislative Assembly.

Final List of Candidates for Election.

Serial number.	Names of candidates.	Address of candidates.
1.		
2.		
3.		
4.		
etc., etc., etc.,		

Note.—The poll will be taken on the day of 19 between and at the polling stations already notified.

Returning Officer.

In the case of a postal vote constituency, the note shall run as follows :—

"Ballot papers should reach the Returning Officer by registered post before on or be deposited or caused to be deposited at the office of the Returning Officer between and on ."

FORM VI.

[See rule 61.]

Form VI-A	Form VI.
Serial No. P. 3—450 G-1—9431	Serial No. P. 3—450 G-1—9431
M-2—1532 C.H.-4—500 C.M.-3—278 L-5—354	M-2—1532 C.H.-4—500 C.M.-3—278 L-5—354
W-6—874 B—55	W-6—874 B—55

Note—

'P' stands for Primary election.
'G' ,, General Constituencies.
'M' ,, Muhammadan Constituencies.
'C.H.' ,, Indian Christian Constituencies.
'C.M.' ,, Commerce and Industry Constituencies.
'L' ,, Labour Constituencies.
'W' ,, Women's Constituencies.
'B ,, Backward Areas and Tribes Constituency

FORM VII.

[See rule 66.]

Tendered Votes List.

Polling station

Name of constituency.	Name of elector.	Number in electoral roll.	Signature of elector, if literate or thumb impression of elector, if illiterate and address.

FORM VIII.

[See rule 67.]

List of Challenged Votes.

Name of polling station

Signature Sheet No.

Number on electoral roll.	Name.	Signature of elector if literate or thumb impression of elector if illiterate.	Name of identifier, if any.

Order of Presiding Officer (in each case).

Signature of Presiding Officer.

FORM IX

[See rule 67.]

Declaration of Personation.

I, (name) , hereby declare and undertake to prove that the person described below has, by applying for a ballot paper at this booth, committed the offence of personation.

Description of the person.

Name.	Address.	Signature or thumb impression.

Signature of candidate or agent.

Witnesses—

1. (Name and address.)
2. (Name and address.)

(Before me)

Station,

Date .

Signature of candidate or agent.

FORM X.

[See rule 69.]

Form of authorization to vote outside polling area.

Certified that entitled to vote at for Constituency has been employed in connexion with the election for Constituency and is prevented from voting at the said station and that I have therefore authorized him to vote at

Station,

Date

Signature of Returning Officer.

Form XI.

[See rule 72.]

Statement sent by Presiding Officer at in the district of after the polling on 19 for the Constituency.

Description. (1)	Number received. (2)	Number of ballot papers in boxes. (3)	Number of ballot papers in packets —Rule 70 (2). (4)	Number of tendered ballot papers— Rule 66. (5)	Number unused. (6)	Number spoilt. (7)	Ballot papers dealt with under rule 70 (1) [included under column (3)]. (8)	Remarks. (9)
Ballot papers.								

Signature of Presiding Officer.

Form XII.

[See rule 76.]

Ballot Paper.

Constituency

Names of the candidates.	Mark showing the elector's choice.

(Please see instructions on the back.)

(Back of ballot paper.)

(1) The number of votes which you may give is

* (2) You may not give more than one vote to any one candidate.

(3) Place a cross mark thus × against the name of the candidate or candidates for whom you wish to vote.

Serial No.

* To be printed on ballot papers for plural member constituencies.

FORM XII-A.

[See rule 76.]

Declaration Paper.

Constituency

Serial No.

Elector's name and number on the roll.

Elector's Declaration.

I (name in full and designation) declare that I am an elector for this constituency and that I have signed no other ballot paper at this election for this constituency. * I also declare that I have not voted at this general election in any other Landholders' constituency.

Date — Signature

Station — Address

* To be struck out except in the case of Landholders' constituencies at a general election.

FORM XIII.

[See rule 78.]

Legislative Assembly Election.

Constituency

Poll on

To

The Returning Officer,

Constituency,

(station and address).

No.

FORM XIV.

[See rule 78.]

Form of Letter of Intimation.

Constituency.

Sir,

The persons whose names are printed on the ballot paper sent herewith have been nominated as candidates for the Legislative Assembly. Should you desire to vote at this election, I have to request that you will—

(*a*) sign the declaration paper;

(*b*) mark your vote or votes in the column provided for the purpose in the ballot paper;

(c) enclose the ballot paper in the smaller envelope and stick it up; and

(d) put the smaller envelope and the declaration paper in the cover addressed to me and return it to me by registered post so as to reach me not later than a.m./p.m. on the day of 19 or deposit or cause to be deposited the cover addressed to me in the ballot box provided for the purpose in between and on .

2. Rule 87 of the rules for the conduct of elections provides that a ballot paper shall be rejected if—

(i) the number of votes recorded thereon exceeds the number of vacancies to be filled;

(ii) no vote is recorded thereon;

(iii) it is void for uncertainty;

(iv) it bears any mark by which the elector can be identified; and

(v) the cover, enclosing the elector's declaration paper and the envelope containing his ballot paper, has neither been sent by registered post so as to reach the Returning Officer not later than the day and the latest hour fixed for the poll nor deposited in the ballot box provided in the office of the Returning Officer on the day and during the hours fixed for the poll;

(vi) the cover contains no declaration paper outside the envelope;

(vii) more than one declaration paper or envelope containing ballot paper have been enclosed in one and the same cover;

(viii) the declaration paper is not the one sent out by the Returning Officer to the elector or the declaration or attestation is not in order.

Provided that in a case where more than one vote can be given on the same ballot paper, if one of the marks is so placed as to render it doubtful to which candidate it was intended to apply, the vote concerned but not the whole ballot paper shall be invalid on that account.

Station

Date *Returning Officer.*

FORM XV.

(See rule 92.)

Total number of electors on roll. (1)	Number of ballot papers issued originally. (2)	Number issued in place of ballot papers reported as not received, spoilt or lost. (3)	Number of ballot papers received. (4)	Number of ballot papers rejected. (5)	Number of ballot papers counted. (6)	Number of declaration papers filed separately. (7)	Remarks. (8)

Returning Officer.

FORM XVI.

(See rule 93.)

Return showing results of the election for seats for constituency.

Name of candidate for whom votes have been given. (1)	Number of valid votes. (2)
A	
B	
C	
D	
E	
F	
Number of valid ballot papers	
Number of ballot papers declared invalid in whole or in part.	
Number of tendered ballot papers ..	

I do hereby declare that the following candidates

A

B

C

have been duly elected.

Returning Officer.

THE MADRAS (PROHIBITION OF SIMULTANEOUS MEMBERSHIP) RULES, 1936.

In exercise of the powers conferred by sub-sections (1) and (2) of section 68 of the Government of India Act, 1935, read with paragraphs 4 (2) and 14 (1) of the Government of India (Commencement and Transitory Provisions) Order, 1936, the Governor of Madras in Council is hereby pleased to make the following rules, namely :—

1. These rules may be called the Madras (Prohibition of Simultaneous Membership) Rules, 1936.

2. Any person who is chosen a member of both the Chambers of the Legislature of the Province of Madras and who has not taken his seat in either chamber may, by notice in writing signed by him and delivered to the Secretaries of both the Chambers, or to any person authorized by the Governor in this behalf, within ten days from the date of publication in the *Fort St. George Gazette* of the declarations that he has been so chosen or, if such publications have been made on different dates, within ten days from the later of such dates, intimate in which of the Chambers he wishes to serve, and any choice so intimated shall be conclusive. In default of such intimation, the seat of such person in the Legislative Assembly shall become vacant.

3. (1) If a person who is already a member of the Legislative Assembly of the Province of Madras and has taken his seat in such Assembly is chosen a member of the Legislative Council of the Province, his seat in the Assembly shall, on the publication in the *Fort St. George Gazette* of the declaration that he has been so chosen, become vacant.

(2) If a person who is already a member of the Legislative Council of the Province of Madras and has taken his seat in such Council is chosen a member of the Legislative Assembly of the Province, his seat in the Council shall, on the publication in the *Fort St. George Gazette* of the declaration that he has been so chosen, become vacant.

4. The period at the expiration of which the seat in the Provincial Legislature of a person chosen a member of the Federal (or Indian) Legislature and of the Provincial Legislature [Including a person who, being a member of the Federal (or Indian) or of the Provincial Legislature, is chosen a member of the Provincial or of the Federal (or Indian) Legislature, respectively], shall become vacant, unless he has previously resigned his seat in the Federal (or Indian) Legislature, shall be ten days from the date of the publication in the *Gazette of India* or in the *Fort St. George Gazette*, whichever is later, of the declaration that he has been so chosen :

Provided that, in a case in which the declaration that a person, being a member of the Indian Legislature, has been chosen a member of the Provincial Legislature is published in the *Fort St. George Gazette* on any date earlier than the 10th April 1937, the said period shall be the period expiring on the 20th April 1937, or on the date of the first meeting of the Provincial Legislature, whichever is earlier.

G. T. BOAG,
Acting Chief Secretary.

MADRAS: PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

RULES FOR THE CONDUCT OF ELECTIONS FOR THE CONSTITUENCIES OF THE MADRAS LEGISLATIVE COUNCIL.

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THE GOVERNMENT OF INDIA (PROVINCIAL ELECTIONS) (CORRUPT PRACTICES AND ELECTION PETITIONS) ORDER, 1936.

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PRICE, 4 *annas*.]

RULES FOR THE CONDUCT OF ELECTIONS FOR THE CONSTITUENCIES OF THE MADRAS LEGISLATIVE COUNCIL.

In exercise of the powers conferred by paragraph twenty of the Fifth schedule to the Government of India Act, 1935, read with paragraph twenty-three of Part I of the Government of India (Provincial Legislative Councils) Order, 1936, and sub-paragraph (5) of paragraph three of Part I and paragraph six of Part III of the Government of India (Provincial Elections) (Corrupt Practices and Election Petitions) Order, 1936, and of all other powers enabling him in that behalf, the Governor of Madras in Council is hereby pleased to make the following rules for the conduct of elections to the Madras Legislative Council.

Introductory.

1. These rules may be called the Madras Legislative Council Electoral (Elections and Election Petitions) Rules, 1936.

2. In these rules, unless there is anything repugnant in the subject or context,—

(*a*) (1) the ' Act ' means the Government of India Act, 1935;

(2) " certified copy " of an entry in the electoral roll means an extract from the final electoral roll obtained from the registration officer concerned and duly authenticated by him;

(3) the " Corrupt Practices Order " means the Government of India (Provincial Elections) (Corrupt Practices and Election Petitions) Order, 1936;

(4) the " Council Order " means the Government of India (Provincial Legislative Councils) Order, 1936;

(5) ' Gazette ' means the *Fort St. George Gazette*;

(6) ' Returned Candidate ' means a candidate who has been duly elected and whose name has been published in the manner prescribed in these rules;

(7) ' signed ' in relation to a person who is unable to write his name, means authenticated by making a mark; and

(*b*) where power is conferred to fix any date, it shall be deemed to include a power to postpone such date from time to time.

3. If any difficulty arises as to the holding of any election under the provisions of these rules or of the Act, or of any Order or other rule made under the Act or of any Act of the Provincial Legislature, the Governor may by order do anything not

inconsistent with such provisions which appears to him to be necessary for the proper holding of the election.

4. If any question arises as to the interpretation of these rules otherwise than in connexion with an election inquiry held under the Act or under any Order or rule made thereunder or under an Act of the Provincial Legislature, the question shall be referred for the decision of the Governor, and his decision shall be final.

5. (1) The functions devolving on the Governor under these rules shall, before the commencement of Part III of the Act, be exercised by the Governor in Council.

(2) After the commencement of the said Part, the functions devolving on the Governor under rules 3, 4, 8, 9, 12 and 76, clause (*b*) of rule 84, sub-rule (1) of rules 88 and 89, sub-rules (1) and (2) of rule 91 and rule 95 shall be exercised by the Governor acting in his individual judgment:

Provided that any power conferred by the provisions aforesaid to fix or postpone any date shall be exercised by the Governor acting in his discretion.

6. For the purposes of clause (*a*) of paragraph one of the Fifth Schedule to the Act, the Ruler of an Indian State or a subject of any such State shall be qualified to be chosen to fill a seat in the Legislative Council.

7. No act done or proceedings taken under, or with reference to, these rules shall be called in question by means of a suit or otherwise in a court of law.

Constitution of the Council.

8. (1) A general election shall be held for the purpose of constituting the Council in time to be ready to meet by the commencement of Part III of the Act.

(2) For the purpose mentioned in sub-rule (1), the Governor shall, by a notification in the Gazette, call upon every constituency to elect a member or members in accordance with these rules within such time as may be specified in such notification.

Casual Vacancies.

9. (1) When the seat of an elected member becomes vacant by reason of his death or resignation or by virtue of any provision contained in the Act or any Order or rule made thereunder or an Act of the Provincial Legislature, the Governor shall by notification in the Gazette call upon the constituency concerned to elect a person for the purpose of filling the vacancy so caused within such time as may be specified in the notification:

Provided that when the seat of any such member is about to become vacant by virture of an Order made under paragraph eighteen of the Fifth Schedule to the Act, the Governor shall issue a notification under this rule so that the election may be completed before the seat becomes vacant.

(2) If a vacancy occurs in the case of a nominated member, the Governor shall nominate to the vacancy a person who is not disqualified under sub-paragraph (4) of paragraph 16 of Part I of the Council Order.

Returning Officers.

10. The Returning Officers for the constituencies mentioned in the first column of Schedule I hereto annexed shall be the persons respectively specified in the corresponding entry in the second column thereof.

11. (1) The persons specified in the third column of the said Schedule may, subject to the control of the Returning Officer, perform all or any of the functions of the Returning Officer in the constituencies respectively specified in the corresponding entry in the first column thereof:

Provided that no such person shall perform any of the functions of a Returning Officer which relate to the acceptance of a nomination paper or of a paper withdrawing candidature or to the scrutiny of nominations or to the counting of votes, unless the Returning Officer is unavoidably prevented from performing the same, in which case the said functions may be performed in any constituency by any one of the persons specified in the corresponding entry in the third column of the Schedule.

(2) Reference to the Returning Officer in these rules shall, unless a contrary intention appears, be deemed to include any person when performing any duty or function which he is authorized to perform under sub-rule (1).

Nomination of Candidates.

12. In a notification issued under sub-rule (2) of rule 8 or under rule 9 the Governor shall appoint—

(*a*) a date for the nomination of candidates, such date not being later than the twenty-first day after the date of the aforesaid notification;

(*b*) another date for the scrutiny of nominations, such date being not later than the third day after the date fixed for the nomination of candidates;

(*c*) a date or dates on which a poll shall, if necessary, be taken; and

(*d*) a further date or dates for the counting of votes.

13. On the issue of a notification by the Governor, it shall be the duty of the Returning Officer to give public notice of the intended election in Form I, in such language or languages as he thinks fit. Such notice shall be published on the notice board of the office of the Returning Officer, and in such other manner in the constituency as the Returning Officer may think fit. In the case of all constituencies except the European constituency such notice shall also be posted in the municipal office and in the office

of each Collector, Divisional Officer, Tahsildar, Deputy Tahildar and Sub-Magistrate, situated within the constituency. The notice shall further be published

(i) *in the Fort St. George Gazette*—in the case of the Muhammadan, European and Indian Christian constituencies and also in the case of the General constituency relating to the City of Madras; and

(ii) *in the District Gazette*—(including the Village sheet)—in the case of the General constituencies other than that relating to the City of Madras.

14. On or before the date appointed for the nomination of candidates, each candidate shall, either in person or by his proposer or seconder, between the hours of eleven o'clock in the forenoon and three o'clock in the afternoon, deliver to the Returning Officer or to such other person as is authorized in this behalf by rule 11 a nomination paper completed in the manner prescribed in Form II and subscribed by the candidate himself as assenting to the nomination and by two persons as proposer and seconder whose names are registered on the electoral roll of the constituency.

15. (1) Any person may be nominated as a candidate for election to fill a seat or seats in any constituency, if he is qualified to be chosen to fill such seat or one of such seats, as the case may be, under the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature.

(2) The nomination paper delivered by or on behalf of a candidate for a seat in a constituency in which he is not entitled to vote shall be accompanied by a certified copy of the entry containing his name in the electoral roll of the constituency in which he is entitled to vote.

16. (1) Any person whose name is included in the electoral roll of the constituency and who is not subject to any disabilities for being so included under the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature, may subscribe as proposer or seconder as many nomination papers as there are vacancies to be filled but no more.

(2) Every nomination paper delivered under rule 14 shall be accompanied by a declaration in writing as shown in Schedule II, subscribed by the candidate that the candidate has appointed or does thereby appoint as his election agent for the election either himself or some one other person who is not disqualified under the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature, for the appointment and who shall be named in the declaration; and no candidate shall be deemed to be duly nominated unless such declaration is delivered along with the nomination paper:

Provided that, notwithstanding that more than one nomination paper is presented by or on behalf of a candidate, only one such declaration by the candidate shall be necessary.

17. Printed copies of the nomination paper in Form II shall on application be supplied to any elector of the constituency at the office of the Returning Officer thereof.

18. Any nomination paper which is not received before three o'clock in the afternoon on the date appointed by the Governor for the nomination of candidates shall be rejected.

19. (1) On the presentation of a nomination paper, the Returning Officer may require the person or persons presenting the same to produce a copy of the electoral roll on which the candidate and his proposer and seconder are registered or of the necessary entries therein and shall satisfy himself that the name and number on the electoral roll of the candidate and his proposer and seconder as entered in the nomination paper are the same as those entered in the electoral roll. Where necessary, he shall direct that the former be amended so as to be in accordance with the latter.

(2) The Returning Officer may interpret an entry in the roll so as to overlook merely clerical or printing errors, but shall record the interpretation he has adopted together with the reasons therefor.

20. The Returning Officer or other person authorized shall, on receiving a nomination paper under rule 14, inform the person or persons delivering the same of the date, hour and place appointed for the scrutiny of nominations, and shall enter in the nomination paper its serial number and shall sign thereon a certificate stating the date on which and the hour at which the nomination paper has been delivered to him; and shall, as soon as may be thereafter, cause to be affixed in some conspicuous place in his office a notice of the nomination containing descriptions similar to those contained in the nomination paper, both of the candidate and of the persons who have subscribed the nomination paper as proposer and seconder.

21. (1) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer or other person authorized on or before three o'clock in the afternoon on the date succeeding that appointed by the Governor for the scrutiny of nominations:

Provided that if this day is a public holiday within the meaning of section 25 of the Negotiable Instruments Act, 1881, or has been notified by the Local Government as a day to be observed as a holiday in Government offices the notice shall be considered as having been received in due time if it is presented at or before three o'clock on the next succeeding day which is neither such a public holiday nor a day so notified.

(2) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election.

22. The Returning Officer or other person authorized shall, on receiving a notice of withdrawal under rule 21, as soon as may be, cause a notice of the withdrawal to be affixed in some conspicuous place in his office.

23. (1) On or before the date appointed for the nomination of candidates, each candidate in every constituency shall deposit or cause to be deposited with the Returning Officer the sum of two hundred and fifty rupees in cash * or in Government Promissory Notes of equal value at the market rate of the day.

(2) No candidate shall be deemed to be duly nominated unless the deposit mentioned in sub-rule (1) has been made.

(3) If a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) has been made withdraws his candidature in the manner and within the time specified in rule 21, or if the nomination of any such candidate is refused, the deposit shall be returned to the person by whom it was made; and, if any candidate dies before the commencement of the poll, any such deposit, if made by him, shall be returned to his legal representative or, if not made by the candidate, shall be returned to the person by whom it was made.

(4) If a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) has been made is not elected and the number of votes polled by him does not exceed, in the case of a constituency returning one or two members, one-eighth of the total number of votes polled, or, in the case of a constituency returning more than two members, one-eighth of the number of votes polled divided by the number of members to be elected, the deposit shall be forfeited to the Government.

(5) For the purpose of sub-rule (4), the number of votes polled shall be deemed to be the number of ballot papers, other than rejected ballot papers counted.

(6) The deposit made in respect of a candidate who is not elected, if it is not forfeited under sub-rule (4), and the deposit made in respect of a candidate who is elected shall be returned to the candidate or to the person who has made the deposit on his behalf, as the case may be, as soon as may be after the publication of the result of the election in the Gazette:

Provided that, if a candidate is duly nominated at a general election in more than one constituency, not more than one of the deposits made by him or on his behalf shall be returned, and the remainder shall be forfeited to the Government.

Scrutiny of Nominations.

24. On the date appointed by the Governor for the scrutiny of nominations under rule 12, the candidates, their election agents one proposer and one seconder of each candidate, and one other

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* Returning Officers may accept treasury receipts in lieu of cash when a candidate chooses to pay the amount in cash direct into the treasury.

person duly authorized in writing by each candidate may attend at such time and place as the Returning Officer may appoint, and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner prescribed in the foregoing rules.

25. (1) The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made at the time to any nomination, and may, either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary, refuse any nomination on any of the following grounds :—

(*a*) that the candidate is ineligible for election under the provisions of the Act or under any Order or rule made thereunder, or under an Act of the Provincial Legislature;

(*b*) that the proposer or seconder is disqualified from subscribing a nomination paper under rule 16; and

(*c*) that there has been any failure on the part of the candidate or his proposer or seconder to comply with any of the provisions of the foregoing rules.

(2) For the purposes of this rule—

(*a*) the production of a certified copy of an entry made in the electoral roll of any constituency shall be conclusive evidence of the right of any elector named in that entry to stand for election or to subscribe a nomination paper, as the case may be, unless it is proved that the candidate is disqualified under the Act, or under any Order or rule made thereunder or under an Act of the Provincial Legislature, or that the proposer or seconder, as the case may be, is disqualified under rule 16; and

(*b*) where a person has subscribed, whether as proposer or seconder, a larger number of nomination papers than there are vacancies to be filled, those of the papers so subscribed which have been first received, up to the number of vacancies to be filled, shall be deemed to be valid.

(3) Nothing contained in clause (*b*) or clause (*c*) of sub-rule (1) shall be deemed to authorize the refusal of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

26. (1) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection.

(2) The scrutiny shall be completed on the day appointed in this behalf under clause (*b*) of rule 12 and no adjournment of the proceedings shall be allowed.

(3) On completion of the scrutiny of nominations and after the expiry of the period within which candidatures may be withdrawn under rule 21, the Returning Officer shall forthwith prepare a list of persons, whose nominations have not been rejected and who have not withdrawn their candidature, and cause it to be affixed in some conspicuous place in his office.

27. If the number of such persons is greater than the number of vacancies, the Returning Officer shall forthwith publish in the manner prescribed in rule 13 a list in Form III of the names in alphabetical order of the candidates as given in the nomination papers. The alphabetical order is to be determined with reference to the order of the surnames (i.e., names proper) of the candidates. Against each candidate's name on the list shall be noted the serial number and, in the case of personal vote constituencies, also the distinctive colour, assigned to him for the purpose of the ballot.

28. If a candidate who has been duly nominated dies after the date appointed for the scrutiny of nominations and before the commencement of the poll, the Returning Officer or other authorized person referred to in rule 14 shall, upon being satisfied of the fact of the death of the candidate, countermand the poll and report the fact to the Government, and all proceedings with reference to the election shall be commenced anew in all respects as if for a new election :

Provided that no fresh nomination shall be necessary in the case of a candidate who stood nominated at the time of the countermanding of the poll.

29. (1) If the number of candidates who are duly nominated and who have not withdrawn their candidature in the manner and within the time specified in rule 21 exceeds that of the vacancies, a poll shall be taken.

(2) If the number of such candidates is equal to the number of vacancies, all such candidates shall be declared to be duly elected.

(3) If the number of such candidates is less than the number of vacancies, all such candidates, if any, shall be declared to be elected, and the Governor shall, by a notification in the Gazette, call upon the constituency to fill the vacancy or vacancies, as the case may be, within such time as may be prescribed by the notification :

Provided that where the constituency, having already been called upon under this sub-rule, has failed to elect a person or the requisite number of persons, as the case may be, to fill the vacancy or vacancies, the Governor shall not be bound again to call upon the constituency to elect a person or persons until such time, as he thinks fit.

(4) Votes shall be given by ballot and in general constituencies, save as otherwise provided in rules 49 and 50, in person.

Voting in Person.

30. Rules 31 to 53 shall apply only to General constituencies.

31. The poll shall commence at 7 a.m. and be kept open till 6 p.m. It may be closed for not more than one hour between these limits at the discretion of the presiding officer.

32. The Returning Officer may, for sufficient cause and with the previous consent of the Governor, postpone the date or extend the period fixed for polling.

In emergencies such as a disturbance of the public peace or the intervention of floods, the presiding officer may close the poll and shall make a report to the Returning Officer. The Returning Officer shall notify the adjournment of the poll to a subsequent day and shall immediately report the circumstances to the Government.

33. The Returning Officer shall appoint one polling station for each polling area in each constituency and shall appoint a presiding officer for each polling station and such other persons (hereinafter referred to as polling officers) to assist the presiding officer as he thinks necessary.

34. The presiding officer shall keep order at the polling station, shall see that the election is fairly conducted, shall regulate the number of electors to be admitted at one time, and shall exclude all other persons except—

(*a*) the polling officers, the candidates, and one agent of each candidate at a time (hereinafter referred to as the polling agent) appointed in writing by the candidate,

(*b*) the police or other public servants on duty, and

(*c*) such other persons as the presiding officer may from time to time admit for the purpose of identifying electors.

35. Subject to the provisions of rules 49 and 50 no elector shall be admitted to vote except at the polling station fixed under rule 33 for the polling area under which his name appears on the electoral roll.

36. The presiding officer shall close the polling station at the hour appointed for closing under rules 31 and 32 so as to prevent the admission thereto of any elector after that hour and no ballot paper shall be issued after that hour.

37. Each polling station shall contain a separate compartment in which electors can vote screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in boxes.

38. Notwithstanding anything hereinbefore contained, the Returning Officer may, at his discretion, if a sufficient number of women suitable and willing to act as presiding and polling officers are available, provide a separate polling station for taking the votes

of the women electors for any polling area or make such other arrangements as may be necessary to ensure the privacy of such electors. In such cases women only shall be appointed to act as presiding and polling officers in respect of the votes of the women electors concerned. Except the police or other public servants on duty, no candidate, agent of a candidate or other person who is not a woman shall be admitted into or be present at such polling station or the place where the votes of such women electors are taken as the case may be.

39. The Returning Officer shall provide in each polling compartment at each polling station, as many ballot boxes as there are candidates, the box of each candidate bearing the serial number and the distinctive colour or colours assigned to him. He shall also provide a sufficient number of envelopes bearing the distinctive colours assigned to candidates and such other colours as may be necessary to give effect to sub-rule (2) of rule 50 together with the necessary outer covers and copies of the electoral roll or such part thereof as contains the names of the electors entitled to vote at the station. He shall further provide a board on which is displayed in bold and clear print the name of each candidate, the serial number and the colour assigned to him.

40. (1) Every ballot-box shall be so constructed that the ballot papers can be introduced therein but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer at any polling station, immediately before the commencement of the poll, shall show the ballot-box empty to such persons as may be present at such station, so that they may see that it is empty and shall then lock it up, and place his seal upon it in such manner as to prevent its being opened without breaking such seal. He shall thereupon place the box so locked and sealed inside the polling compartment for the receipt of ballot papers, but screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in it.

(2) Before the polling station is opened for the purpose of voting, the presiding officer shall read to such persons as may be present the provisions of section 14 of the Indian Election Offences and Inquiries Act, 1920, and shall explain the substance thereof in the vernacular of the district.

41. Every ballot paper shall be in Form IV and shall have a counterfoil attached to it which shall be in Form IV-A. The ballot paper shall bear the letters indicating the constituency and a serial number. On each ballot paper the polling officer shall affix a stamp across the perforation between the foil and counterfoil.

42. (1) At elections for constituencies in which not more than one seat has to be filled a voter shall be given only one ballot paper which shall be placed in the ballot-box bearing the serial number and the colour assigned to the candidate for whom he desires to vote.

(2) At elections for constituencies in which more than one seat has to be filled, the voter shall be given as many ballot papers as there are seats to be filled and the presiding officer or polling officer shall explain to the voter that he may place all the ballot papers in the ballot-box of one candidate or distribute them as he thinks fit and place them in different ballot-boxes.

(3) Immediately before a ballot paper is delivered to an elector, the number, name and description of the elector as stated in the electoral roll shall be called out. The polling officer shall stamp the ballot paper with the prescribed mark, detach it from the counterfoil, and deliver it to the elector and shall place a mark on a copy of the electoral roll against the number of the elector to denote that he has received a ballot paper, but with no indication of the particular ballot paper which he has received.

43. The elector on receiving the ballot paper or papers shall forthwith proceed into the polling compartment and there place the ballot paper or papers in the box or boxes according to his choice. Every elector shall vote without undue delay and shall quit the polling station as soon as he has voted.

44. (1) If an elector is incapacitated from blindness or other physical cause from voting in the manner prescribed in rule 43 the presiding officer shall ascertain from him for whom he wishes to vote and shall, in the presence of any candidate or polling agent who may be present, place the ballot paper in the box bearing the serial number and the colour assigned to the candidate for whom he wishes to vote.

(2) In the case of every elector whose ballot paper is dealt with in the manner laid down in sub-rule (1), a note shall be made on the counterfoil by the presiding officer of the reason why it was so dealt with.

45. (1) When a person presents himself to vote, and at any time before a ballot paper is supplied to him, the presiding officer or polling officer may, of his own accord, and shall, if so required by a candidate or polling agent, put to such person any or all of the following questions :—

(i) Are you the person enrolled as follows (reading the whole entry from the roll)?

(ii) Have you already voted at the present election in this constituency? and

(iii) (At the first election held under these rules or at an election held for the purpose of filling seats about to become vacant by virtue of an Order made under paragraph 18 of the Fifth Schedule to the Act)—have you already voted in any other constituency of the Council?

and the person shall not be supplied with a ballot paper unless he gives an unqualified answer to the question or questions put to him and unless he answers the first question in the affirmative, the second question in the negative, and at an election mentioned in clause (iii), the third question also in the negative.

(2) Except as mentioned herein, every person whose name is found on the electoral roll shall be entitled to be supplied with a ballot paper.

46. If a person representing himself to be a particular elector named on the electoral roll applies for a ballot paper after another person has voted as such elector, the applicant shall, after duly answering such questions as the presiding officer may ask, be entitled to receive a ballot paper in the same manner as another elector. On receipt of such ballot paper (hereinafter referred to as a tendered ballot paper) the elector shall proceed into the polling compartment and there place the ballot paper in an envelope bearing the colour assigned to the candidate of the applicant's choice. He shall then stick the envelope and enclose it in a cover and hand it over to the presiding officer. The presiding officer shall make an endorsement containing the name of the elector and his number on the electoral roll and the name and number of the electoral area to which the roll relates and shall set aside the cover in a separate packet the ballot papers in which shall not be counted by the Returning Officer. The name of the elector and his number in the electoral roll and the name or distinctive number of the polling station to which the roll relates shall be entered in a list in Form V, which shall bear the heading "Tendered votes list." The person tendering such ballot paper shall sign his name and address on that list or affix his thumb-impression thereto.

Explanation.—In cases falling under this rule to which rule 47 is also applicable, the provisions of this rule as well as of rule 47 shall be followed.

47. (1) If any polling agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of personation, the presiding officer may require such person to enter in the list of challenged votes (which shall be in Form VI) his name and address or, if he is unable to write, to affix his thumb-impression thereto and may further require such person to produce evidence of identification.

(2) The presiding officer shall then call upon the candidate or agent bringing forward the charge of personation to deposit with him a sum of twenty rupees in cash.

(3) Immediately the deposit required by sub-rule (2) has been made, the presiding officer shall obtain a written statement in Form VII which shall be signed by the candidate or agent, as the case may be, and which shall also be attested by two credible witnesses, in the presence of the presiding officer.

(4) If the applicant for the ballot paper on being questioned in the manner provided in rule 45 gives unqualified answers to the first question in the affirmative and to the other questions in the negative, he shall be allowed to vote after he has been informed of the penalty for personation. The presiding officer shall make a note of the circumstances and of his decision on the list of challenged votes.

(5) The presiding officer shall, at the close of the poll, forward to the Returning Officer the statement mentioned in sub-rule (3), enclosed in the packet containing the list of challenged votes.

(6) The Returning Officer, after instituting such inquiries, as may be necessary, shall take steps to prosecute the person or persons whom he believes to be guilty of the offence of personation after obtaining the previous sanction required by section 196 of the Criminal Procedure Code, such sanction being obtained from the Commissioner of Police in the city of Madras and from the District Magistrate concerned elsewhere. If it is found as a result of the judicial trial that the offence of personation has not been proved, the Returning Officer shall decide whether the whole or part of the deposit shall be declared forfeit to the Government. In coming to a decision on this point the Returning Officer shall be guided by the facts and conclusions recorded at the trial.

48. An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot conveniently be used as a ballot paper may, on delivering it to the presiding officer and satisfying him of the inadvertence, obtain another ballot paper in place of the spoilt paper, and the latter shall, together with its counterfoil, be marked as cancelled.

49. A presiding officer, polling officer, or polling agent or public servant who being entitled to vote in a constituency is duly appointed or authorized for duty at a polling station at which he is not ordinarily entitled to record his vote may apply to the Returning Officer concerned for a certificate entitling him to vote at the polling station where he is employed. The said certificate shall be in Form VIII.

If however he is on duty at a polling station which is not in the constituency in which he is entitled to vote the Returning Officer shall in addition to the certificate mentioned above furnish the presiding officer concerned with particulars regarding the number of votes which the elector is entitled to give and the names of, and serial numbers and colours assigned to, the candidates standing for election in that constituency.

50. A person in possession of a certificate in the form prescribed in rule 49 shall deliver the certificate to the presiding officer who shall thereupon issue to the person ballot papers in the same manner as to any other elector. Such ballot papers shall be dealt with in the following manner :—

(1) If the polling station at which the person is on duty be in the same constituency as the one in which he is entitled to vote, then the provisions contained in rules 42 and 43 shall apply. The presiding officer shall, at the end of the poll, send the certificate to the Returning Officer along with the statement mentioned in rule 52.

(2) If the polling station at which the person is on duty be not in the constituency in which he is entitled to vote the presiding officer shall issue the ballot paper or papers with instructions similar to those contained in sub-rules (1) and (2) of rule 42. The person shall proceed into the polling compartment and place the ballot paper in the envelope bearing the colour assigned to the candidate of his choice and stick it up, enclose the envelope in a cover and hand over the cover to the presiding officer. Where an elector is given more than one ballot paper he shall adopt a similar procedure in respect of each such paper unless he chooses to give all his votes to a single candidate, in which case all the ballot papers shall be placed in a single envelope bearing the colour assigned to the candidate of his choice.

The presiding officer shall make up into separate packets for each constituency the covers in which votes have been so recorded, the connected certificates being fastened to the covers, seal up each such packet in the manner specified in rule 51 and forward the same to the Returning Officer of the constituency concerned.

51. (1) The presiding officer of each polling station, as soon as practicable after the close of the poll, shall, in the presence of any candidate or polling agents who may be present, make up into separate packets and seal with his own seal and the seals of such candidates or agents as may desire to affix their seals—

(1) each ballot-box in use at such station unopened but with the key (which should also be sealed in the same manner as the ballot-box) attached,
(2) the tendered ballot papers,
(3) the unused ballot papers,
(4) the spoilt ballot papers,
(5) the marked copy of the electoral roll,
(6) the counterfoils of the ballot papers,
(7) the tendered votes list,
(8) the list of challenged votes, with the statement or statements mentioned in rule 47 (5), and
(9) the covers under rule 50 (2),

and shall forward such packets to the authority mentioned in rule 53.

52. The packets shall be accompanied by a statement in a separate cover in Form IX made by the presiding officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot-boxes, unused, spoilt, and tendered ballot papers.

53. Subject to any directions given in that behalf by the Returning Officer, the packets and statements shall be forwarded by the presiding officer to the Commissioner of the Corporation of Madras in the Madras City and either to the Returning Officer

or to such divisional or taluk officer as the Returning Officer may direct in the mufassal. Each packet shall be numbered and shall bear a note as to its contents and the name of the polling station. Where no vote has been recorded in any constituency, the presiding officer shall submit a *nil* report together with the statement in Form IX. The divisional or taluk officer, as the case may be, shall forward to the Returning Officer, immediately on receipt from all the polling stations in the division or taluk, the packets and statements referred to in rules 51 and 52.

Postal Voting.

54. Rules 55 to 63 shall apply to the Muhammadan, European and Indian Christian constituencies and no elector of these constituencies shall be allowed to vote in any other way than is provided in these rules.

55. (1) The Returning Officer shall issue through registered post acknowledgment due, a declaration paper and a ballot paper to each elector to the address entered against his name in the electoral roll, unless the elector has, since the publication of the roll, given intimation of any change in his address in the manner prescribed in sub-rule (2).

(2) Any elector wishing to intimate any change in his address as entered against his name in the electoral roll shall do so through a Presidency Magistrate, Taluk Magistrate, Deputy Tahsildar or Stationary Sub-Magistrate, having jurisdiction over the place mentioned in such address. The intimation shall be given in writing and shall be signed by the elector before the officer aforesaid. If the elector is not personally known to such officer, he shall be identified by two respectable witnesses who shall also sign the intimation as having identified the elector. For the purpose of identification, the testimony of the village officers of the village in which the elector resides, shall be accepted as sufficient. The officer before whom the elector signs the intimation shall forward it himself to the Returning Officer of the constituency concerned.

The provisions of this sub-rule shall apply *mutatis mutandis* whenever the elector wishes to intimate any subsequent change in his address.

56. The ballot paper shall be in Form X and the declaration paper in Form X-A. The ballot paper shall have the names of the candidates in the order in which they appear in Form III. If there are two candidates whose names are the same, they shall be distinguished by the addition of their occupation or in some other way. The ballot papers shall be printed in such language or languages as the Returning Officer may consider necessary. The same serial number shall be entered on the face of the declaration paper and on the back of the ballot paper. To each elector shall be issued the declaration paper and the ballot paper whose serial numbers correspond to the number which the elector bears on the electoral roll.

57. Before the ballot paper is issued to an elector, the Returning Officer shall—

(a) have the name of the elector entered on the declaration paper; and

(b) place a mark against the name of the elector concerned in the electoral roll, or the copy of it, used for the purpose of the election.

58. With the ballot paper, the Returning Officer shall send a cover addressed to himself in Form XI, an envelope with the number of the ballot paper entered on its face and a letter in Form XII. The Returning Officer shall have the number of the ballot paper entered at the left-hand bottom corner of the cover in Form XI.

59. Each elector, upon receipt of his ballot paper, if he desires to vote in the election, shall sign the declaration in the declaration paper and record his vote or votes on the ballot paper by placing a mark or marks against the name of the candidate or candidates of his choice.

60. The elector shall then enclose the ballot paper in the envelope and stick it up, enclose the envelope and the declaration paper in the cover and send the cover by registered post to the Returning Officer so as to reach him not later than the day and the latest hour fixed for the poll. The covers received after such day and hour as well as covers received by unregistered post shall be rejected :

Provided that, at his option, the elector may in person deposit the cover in a ballot-box which shall be provided at the office of the Returning Officer on the day and during the hours fixed for the poll.

61. (1) If an elector is incapacitated from blindness or other physical cause, from voting in the manner prescribed above, it shall be competent for him to record his vote by the hand of any of the officers mentioned hereunder; and such officer shall, at the request of the elector, mark the ballot paper in the presence of the elector and if the incapacity is due to blindness, in the presence of another person as well and shall, on the declaration paper, certify the incapacity and attest the fact of his having been requested by the elector to mark the ballot paper for him, and of its having been so marked.

(2) The following officers are empowered to attest votes of incapacitated electors under this rule :—

Stipendiary Magistrates other than a village magistrate, Judges of the Court of Small Causes, Madras, and the City Civil Court, Madras, Sub-Judges, District Munsifs, District Registrars and Sub-Registrars.

62. (1) An elector who has not received his ballot and other connected papers sent by post or whose papers, before their despatch back to the Returning Officer, have been inadvertently spoilt in such manner that they cannot conveniently be used, or who has

lost his papers, may apply in the manner prescribed in sub-rule (2) for new papers in place of those not received, spoilt or lost and if the papers have been spoilt, the spoilt papers shall be returned to the Returning Officer who shall cancel the same on receipt. In every case where new papers are issued, a mark shall be placed against the name of the elector in the copy of the roll referred to in clause (*b*) of rule 57 to denote that new papers have been issued in place of those not received, spoilt or lost.

(2) Any elector applying for new papers under sub-rule (1) shall sign a declaration to the effect that he has not received his ballot and other connected papers or that they have been spoilt or lost, as the case may be, before a Presidency Magistrate, Taluk Magistrate, Deputy Tahsildar or Stationary Sub-Magistrate having jurisdiction over the place mentioned in the address as entered against the elector's name in the electoral roll or as intimated under sub-rule (2) of rule 55, as the case may be. If the elector is not personally known to such officer, he shall be identified by two respectable witnesses who shall also sign the declaration as having identified the elector. For the purpose of identification, the testimony of the village officers of the village in which the elector resides shall be accepted as sufficient. The officer before whom the elector signs the declaration shall forward it himself to the Returning Officer of the constituency concerned.

63. No election shall be invalidated by reason that an elector has not received his ballot paper provided that a ballot paper has been issued to him in accordance with these rules.

Counting of Votes.

64. The counting of votes shall commence on the day appointed by the Governor in that behalf at such time and place as the Returning Officer may fix. The Returning Officer shall give notice in writing of the date, time and place aforesaid to all candidates and election agents.

65. Votes shall be counted by, or under the supervision of, the Returning Officer, and each candidate, the election agent of each candidate, and one representative of each candidate authorized in writing by the candidate shall have a right to be present at the time of counting. No other person shall be allowed to be present except such persons as the Returning Officer may appoint to assist him in counting votes and no person shall be appointed to assist in counting the votes who has been employed by or on behalf of any candidate for any purpose whatsoever connected with the election.

66. The Returning Officer shall, before he commences to count the votes, read the provisions of section 14 of the Indian Election Offences and Inquiries Act, 1920, to such persons as may be present, and shall then proceed as follows :—

(*a*) (i) If the constituency is one in which the voting is personal, the ballot box or boxes relating to all polling stations

in the constituency bearing the same serial number and colour and all envelopes of the same colour as those boxes, enclosed in covers which may have been received under rules 50 and 53 shall be opened one after another. The Returning Officer shall take out the ballot papers therefrom, count them and record the number thereof in a statement. He shall then have all the boxes of another serial number and colour opened and the ballot papers taken out, counted and the number recorded in the statement and similarly with boxes of as many serial numbers and colours as may have been prescribed for the constituency.

(ii) If the constituency is one for which postal voting is prescribed, the covers received from or deposited by electors under the proviso to rule 60, shall be opened one after another and the envelopes and declaration papers taken out therefrom. If a cover should contain no declaration paper outside the envelope, the envelope enclosed in such cover shall be rejected and the Returning Officer shall endorse the word "rejected" on the envelope. If a cover contains a declaration paper, the Returning Officer shall examine whether the declaration paper is the one sent out by him and whether the declaration and attestation are *prima facie* regular. If he is not satisfied that a declaration paper is the one sent out by him to the elector concerned or if the declaration or attestation is not in order, he shall endorse the word "rejected" on the back of the declaration paper and keep it with the connected envelope in a separate bundle. If more than one declaration paper or more than one envelope is enclosed in one and the same cover, all the declaration papers and envelopes contained in the cover shall be rejected, and the Returning Officer shall endorse the word "rejected" on the back of each declaration paper and keep the declaration papers so rejected and the envelopes contained in the cover in the same bundle of rejected papers. He shall file the other declaration papers and the envelopes containing the corresponding ballot papers in a separate heap. These envelopes shall then be opened, the ballot papers enclosed therein taken out, and counted, and the total thereof recorded by the Returning Officer in a statement.

The Returning Officer shall then mix together all the ballot papers so counted and totalled up and distribute them in convenient bundles to the persons appointed to assist in counting the votes.

(b) The Returning Officer shall allow the candidates and their agents reasonable opportunities to inspect, without handling, all ballot papers which in his opinion are liable to be rejected. He shall endorse on every ballot paper which

is wholly or partially rejected the word "rejected." If any candidate or agent present questions the correctness of the rejection, he shall also record on the ballot paper the grounds for the rejection. No candidate or agent shall be allowed to see the serial number on the back of any ballot paper.

(c) The Returning Officer shall, as far as practicable, proceed continuously with the counting of the votes; and shall, during any necessary intervals during which the counting has to be suspended, place the ballot papers, packets and other documents relating to the election under his own seal and the seals of such candidates or agents as may desire to affix them, and shall cause adequate precautions to be taken for their custody.

67. (1) A ballot paper shall be rejected if—

(a) *in the case of all constituencies*—both personal vote and postal vote—it bears any mark by which the elector can be identified;

(b) *in the case of personal vote constituencies*—

(i) it does not bear the official stamp prescribed in rule 41;

(ii) it bears the mark belonging to a constituency different from that of the ballot box in which it is found; and

in the case of postal vote constituencies—

(i) the number of votes recorded thereon exceeds the number of vacancies to be filled;

(ii) no vote is recorded thereon;

(iii) it is void for uncertainty;

(iv) the cover, enclosing the elector's declaration paper and the envelope containing his ballot paper, has neither been sent by registered post so as to reach the Returning Officer not later than the day and the latest hour fixed for the poll nor deposited in the ballot box provided in the office of the Returning Officer on the day and during the hours fixed for the poll;

(v) the cover contains no declaration paper outside the envelope;

(vi) more than one declaration paper or envelope containing the ballot paper have been enclosed in one and the same cover;

(vii) the declaration paper is not the one sent out by the Returning Officer to the elector or the declaration or attestation is not in order:

Provided that in a case where more than one vote can be given on the same ballot paper, if one of the marks is so placed as to render it doubtful to which candidate it was intended to apply, the vote concerned but not the whole ballot paper shall be invalid on that account.

(2) Except on the abovementioned grounds, a ballot paper shall not be rejected.

(3) The decision of the Returning Officer as to the validity of a ballot paper shall be final, subject only to reversal on an election petition.

68. When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates, as the case may be, to whom the largest number of votes has been given to be elected.

69. Where an equality of votes is found to exist between any candidates and the addition of one vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

70. (1) The Returning Officer shall without delay report the result of the election to the Secretary to the Council and to the Government.

(2) As soon as may be after the expiration of the time fixed for the election of members, the names of members elected for the constituencies concerned shall be notified in the Gazette by the Government.

71. The following procedure shall apply to constituencies other than those for which postal voting is allowed :—

The Returning Officer shall not open the sealed packets of the tendered votes, the marked copy of the electoral roll or the counterfoils of the ballot papers. He shall verify the statement submitted by the presiding officer under rule 52 by comparing it with the number of accepted ballot papers and of rejected ballot papers and the unused ballot papers in his possession, shall then reclose and re-seal each packet which has been opened by him, and shall record on each packet a description of its contents and the date of the election to which it refers.

72. The following procedure shall apply in the case of postal vote constituencies :—

Upon the completion of the counting, the Returning Officer shall seal up in separate packets—

(1) the counted ballot papers;

(2) the rejected declaration papers and connected envelopes;

(3) the ballot papers rejected at the count;

(4) the rejected envelopes and the connected declaration papers, if any; and

(5) the marked copy of the electoral roll.

He shall also prepare and sign a statement in Form XIII and shall record on each packet a description of its contents and the date of the election to which it refers.

73. In the case of all constituencies—both Personal and Postal—the Returning Officer shall then prepare and certify a return in Form XIV setting forth—

(1) the names of the candidates for whom valid votes have been given,
(2) the number of valid votes given for each candidate,
(3) the name of the candidate elected,
(4) the number of votes declared invalid, and
(5) the number of tendered votes given,

and shall permit any candidate or any representative duly authorized under rule 65 to take a copy or an extract from such return.

74. (1) The Returning Officer shall forward a copy of the return made under rule 73 to the Government as soon as possible after reporting the result of the election as required by rule 70.

(2) All the packets relating to the elections shall remain in the custody of the Returning Officer.

75. The packets of ballot papers, whether counted, rejected or tendered, and of the counterfoils thereof, or of the declaration papers as the case may be, shall not be opened and their contents shall not be inspected or produced except under the order of competent Court or of Commissioners appointed to hold an inquiry in respect of an election, but all other documents relating to the election shall be open to inspection subject to such conditions as the Governor may impose and to the payment of a fee of Rs. 5.

76. (1) The packets aforesaid shall be retained for a period of one year and shall thereafter be destroyed subject to any direction to the contrary made by the Governor, or by a competent Court or by Commissioners appointed to hold an inquiry in respect of an election.

(2) The nomination papers of candidates and the withdrawals from candidature shall be kept in the office of the Returning Officer and shall be destroyed after nine years, unless otherwise ordered by the Governor.

Election Agents and Expenses.

77. No person who is for the time disqualified under the provisions of Part IV of the Corrupt Practices Order from being a member of a Provincial Legislature or from voting at elections, shall so long as the disqualification exists, be employed by or on behalf of a candidate as an agent in connexion with any election, held under the provisions of these rules.

78. The books of account to be kept by an election agent shall contain a statement of all payments made by the candidate or by his election agent or by any person on behalf of the candidate or

in his interest, for expenses incurred on account of, or in respect of, the conduct and management of the election and further a statement of all unpaid claims in respect of such expenses of which he or his election agent is aware. The particulars to be entered in the books of account shall be those given in Schedule III.

79. The time within which a return of the election expenses, of a person who has been nominated as a candidate shall be lodged with the Returning Officer shall be thirty-five days from the date of publication of the result of the election.

80. (1) The return of election expenses shall contain the particulars specified in Schedule III and shall be in the form given in Schedule IV and shall be accompanied by declarations by the candidate and his election agent, in the forms subjoined to that schedule made on oath or affirmation before a Magistrate.

(2) The declaration to be made by a candidate who owing to absence from India is unable to sign the return and declaration required by sub-rule (i) shall be in the special form subjoined to Schedule IV and shall be lodged within fourteen days after the return of the candidate to India.

81. (1) When any return and the declarations made in respect thereof have been lodged with the Returning Officer, the Returning Officer shall, as soon as may be, cause a notice of the date on which the return and declarations in question have been lodged, and of the time and place at which they can be inspected, to be fixed in some conspicuous place in his office and to be published in the Gazette, and any person shall, on payment of a fee of one rupee, be entitled to inspect any such return or declaration.

(2) Certified copies of the return of election expenses and the declarations made in respect of them authenticated by the Returning Officer or any person authorized by him for the purpose shall be given on payment of the same fees as are prescribed for grant of copies of public documents in the Standing Order of the Board of Revenue No. 173.

(3) (i) A record showing—

(*a*) the names of the candidates,

(*b*) the names of the election agents of each such candidate,

(*c*) the date of each election,

(*d*) the name of each constituency in which an election has been held, and

(*e*) the date on which the return of election expenses of each candidate has been lodged with the Returning Officer,

shall be prepared by the Government, as soon as possible after the completion of each election.

(ii) The particulars required for the preparation of the record mentioned above shall be furnished by the Returning Officers concerned.

(iii) The record shall be open to inspection by the public.

(iv) The record of each election shall be maintained for nine years from the date of each election.

(v) Separate records shall be maintained for general elections and for subsequent elections including by-elections.

82. The following shall be the maxima of election expenses (including the personal expenses of candidates) which may be incurred by a candidate for an election in a constituency of the Madras Legislative Council :—

Nature of constituency.	Maximum limit of expenditure.
(a) Where the number of registered electors is 8,000 or less.	Rs. 1,000
(b) In all other cases	Two annas for every registered elector.

Decision of doubts and disputes as to the validity of elections.

83. An election petition against any returned candidate shall be deemed to have been presented to the Governor when it is delivered to the Governor or to an officer appointed by him in that behalf—

(a) by the person making the petition; or

(b) by a person authorized in writing in that behalf by the person making the petition; or

(c) by registered post.

84. An election petition may be presented—

(a) by any candidate or elector on any ground within fourteen days from the date on which the return of the election expenses of the returned candidate and the declarations referred to in rule 80 are published in the gazette by the Returning Officer as required by sub-rule (1) of rule 81; or

(b) within thirty days from that date by an officer empowered in that behalf by the Governor on the ground that the election has not been a free election by reason of the large number of cases in which undue influence or bribery has been exercised or committed.

Explanation I.—When the last day of the period for the presentation of an election petition under sub-rule (a) or (b) is a public holiday within the meaning of section 25 of the Negotiable Instruments Act, 1881, or has been notified by the Local Government as a day to be observed as a holiday in Government offices, the petition shall be considered as having been received in due time if it is presented on the next succeeding day which is neither such a public holiday nor a day so notified.

Explanation II.—For the purpose of sub-rule (a), the date on which the return of the election expenses and the declarations are received by the Returning Officer shall, in the case of a candidate referred to in sub-rule (2) of rule 80, be the date on which the declaration under that sub-rule is received.

85. (1) An election petition shall contain a statement in concise form of the material facts on which the petitioner relies and shall, where necessary, be divided into paragraphs numbered consecutively. It shall be signed by the petitioner and verified in the manner prescribed for the verification of pleadings in the Code of Civil Procedure, 1908.

(2) The petition shall be accompanied by a list signed and verified in like manner setting forth full particulars of any corrupt practice which the petitioner alleges, including as full a statement as possible as to the names of the parties alleged to have committed any corrupt practice and the date and place of the commission of each such practice.

(3) The Commissioners may, upon such terms as to costs and otherwise as they may direct at any time, allow the particulars included in the said list to be amended or order such further and better particulars in regard to any matter referred to therein to be furnished as may in their opinion be necessary for the purpose of ensuring a fair and effectual trial of the petition.

86. The petitioner may, if he so desires, in addition to calling in question the election of the returned candidate, claim a declaration that he himself or any other candidate has been duly elected; in which case he shall join as respondents to his petition, all other candidates who were nominated at the election.

87. At the time of presentation of the petition, the petitioner shall, except where the petition is presented under clause (*b*) of rule 84 deposit with it the sum of one thousand rupees in cash or in Government Promissory notes of equal value at the market rate of the day as security for the costs of the same.

88. (1) An election petition shall abate only on the death of a sole petitioner or of the survivor of several petitioners:

Provided that, where such sole petitioner was an officer empowered by the Governor, the proceedings may be continued by any other officer empowered in like manner.

(2) Notice of the abatement of an election petition shall be published in the Gazette by the Commissioners, or, if the petition abates before any Commissioner has been appointed, by the Governor.

(3) Any person who might himself have been a petitioner may, within fourteen days of such publication, apply to be substituted as petitioner, and, upon compliance with the conditions of rule 87 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioners may think fit.

89. (1) An election petition may be withdrawn only by leave of the Commissioners, or if an application for withdrawal is made before any Commissioner has been appointed, of the Governor.

(2) If there are more petitions than one, no application to withdraw a petition shall be made except with the consent of all the petitioners.

(3) When an application for withdrawal is made to the Commissioners notice thereof fixing a date for the hearing of the application shall be given to all other parties to the petition and shall be published in the Gazette.

(4) No application for withdrawal shall be granted if in the opinion of the Governor or of the Commissioners, as the case may be, such application has been induced by any bargain or consideration which ought not to be allowed.

(5) If the application is granted—

(*a*) the petitioner shall, where the application has been made to the Commissioner, be ordered to pay the costs of the respondent theretofore incurred or such portion thereof as the Commissioners may think fit;

(*b*) notice of the withdrawal shall be published in the Gazette by the Governor or by the Commissioners as the case may be; and

(*c*) any person who might himself have been a petitioner may, within fourteen days of such publication, apply to be substituted as petitioner in place of the party withdrawing, and upon compliance with the conditions of rule 87 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioners may think fit; and

(6) When an application for withdrawal is granted by the Commissioners and no person has been substituted as petitioner in place of the party withdrawing under clause (*c*) of sub-rule (5), the Commissioners shall report the fact to the Governor.

90. If before the conclusion of the trial of an election petition the respondent dies or gives notice that he does not intend to oppose the petition, the Commissioners shall cause notice of such event to be published in the Gazette, and thereupon any person who might have been a petitioner may, within fourteen days of such publication, apply to be substituted for such respondent to oppose the petition, and shall be entitled to continue the proceedings upon such terms as the Commissioners may think fit.

91. (1) The Governor may dismiss an election petition for non-compliance with these rules.

(2) If the petition is not dismissed under sub-rule (1), it shall be referred to a Commission appointed by the Governor in the manner provided for in sub-paragraph (1) of paragraph 4 of Part III of the Corrupt Practices Order.

(3) The President of the Commission shall, as soon as may be, cause a copy of the petition to be served on each respondent and to be published in the Gazette, and may call on the petitioner to execute a bond in such amount and with such sureties as he may require for the payment of any further costs. At any time within fourteen days after such publication, any other candidate shall be entitled to be joined as a respondent on giving security in a like amount and procuring the execution of a like bond:

Provided that the execution of such a bond by the petitioner shall not be required in any case where the petition has been presented under sub-rule (*b*) of rule 84.

92. Subject to the other provisions of these rules every election petition shall be inquired into by the Commissioners, as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1908, to the trial of suits:

Provided that it shall only be necessary for the Commissioners to make a memorandum of the substance of the evidence of any witness examined by them.

93. The inquiry shall be held at such place as the Governor may appoint:

Provided that the Commissioners may in their discretion sit at any other place in the Presidency for any part of the inquiry, and may depute any one of their number to take evidence at any place in the Province.

94. (1) Where at an inquiry into an election petition any candidate, other than the returned candidate, claims the seat for himself, the returned candidate or any other party may give evidence to prove that the election of such candidate would have been void, if he had been the returned candidate and a petition had been presented complaining of his election:

Provided that the returned candidate or such other party as aforesaid shall not be entitled to give such evidence unless he has, within fourteen days from the date of publication of the election petition under sub-rule (3) of rule 91, given notice of his intention to the Commissioners and made the deposit and procured the execution of the bond referred to in rules 87 and 91, respectively.

(2) Every notice referred to in sub-rule (1) shall be accompanied by the statement and list of particulars required by rule 85 in the case of an election petition and shall be signed and verified in like manner.

95. Election petitions with the proceedings and reports of the Election Commissioners thereon shall be kept by the Government and shall be destroyed after three years, unless otherwise ordered by the Governor.

96. (1) If any person is elected by more than one constituency of the Council, he shall, by notice in writing signed by him and delivered to the Secretary to the Council within seven days from the date of the publication of the result of such election in the Gazette, choose for which of the constituencies he shall serve and his choice shall be conclusive.

(2) When any such choice has been made, the Governor shall call upon the constituency or constituencies not chosen by such person to elect another person or persons.

(3) If the candidate does not make the choice referred to in sub-rule (1) of this rule, the elections of such person shall be void and the Governor shall call upon the constituencies concerned to elect other persons.

SCHEDULE I.

(See rule 10.)

Name of constituency. (1)	Returning officer. (2)	Other officers who may perform the duties of a Returning officer. (3)
GENERAL CONSTITUENCIES.		
1 Madras City ..	Commissioner, Corporation of Madras.	Presidency Magistrates other than the Chief Presidency Magistrate.
2 Vizagapatam ..	Collector of Vizagapatam ..	Treasury Deputy Collector, Vizagapatam, and the Revenue Divisional Officer, Vizagapatam.
3 East Godavari ..	Do. East Godavari ..	Treasury Deputy Collector, East Godavari, and the Revenue Divisional Officer, Cocanada.
4 West Godavari ..	Do. West Godavari ..	Treasury Deputy Collector, West Godavari, and the Revenue Divisional Officer, Ellore.
5 Kistna	Do. Kistna	Treasury Deputy Collector, Kistna, and the Revenue Divisional Officer, Bandar.
6 Guntur	Do. Guntur	Treasury Deputy Collector, Guntur and the Revenue Divisional Officer, Guntur.
7 Nellore	Do. Nellore	Treasury Deputy Collector, Nellore, and the Revenue Divisional Officer, Nellore.
8 Cuddapah	Do. Cuddapah	Treasury Deputy Collector, Cuddapah, and the Revenue Divisional Officer, Cuddapah.
9 Anantapur	Do. Anantapur	Treasury Deputy Collector, Anantapur, and the Revenue Divisional Officer, Anantapur.
10 Bellary .. .	Do. Bellary	Treasury Deputy Collector, Bellary, and the Revenue Divisional Officer, Bellary.
11 Kurnool	Do. Kurnool	Treasury Deputy Collector, Kurnool, and the Revenue Divisional Officer, Kurnool.
12 Chingleput	Do. Chingleput	Treasury Deputy Collector, Chingleput, and the Revenue Divisional Officer, Saidapet.
13 Chittoor	Do. Chittoor	Treasury Deputy Collector, Chittoor, and the Revenue Divisional Officer, Chittoor.
14 North Arcot ..	Do. North Arcot ..	Treasury Deputy Collector, North Arcot, and the Revenue Divisional Officer, Vellore.
15 South Arcot ..	Do. South Arcot ..	Treasury Deputy Collector, South Arcot, and the Revenue Divisional Officer, Cuddalore.
16 Tanjore	Do. Tanjore	Treasury Deputy Collector, Tanjore, and the Revenue Divisional Officer, Tanjore.
17 Trichinopoly ..	Do. Trichinopoly ..	Treasury Deputy Collector, Trichinopoly, and the Revenue Divisional Officer, Trichinopoly.
18 Madura	Do. Madura	Treasury Deputy Collector, Madura, and the Revenue Divisional Officer, Madura.
19 Ramnad	Do. Ramnad	Treasury Deputy Collector, Ramnad, and the Revenue Divisional Officer, Ramnad.
20 Tinnevelly	Do. Tinnevelly	Treasury Deputy Collector, Tinnevelly, and the Revenue Divisional Officer, Tinnevelly.
21 Salem	Do. Salem	Treasury Deputy [Collector, Salem, and the Revenue Divisional Officer, Salem.
22 Coimbatore *cum* the Nilgiris.	Do. Coimbatore	Treasury Deputy Collector, Coimbatore, and the Collector of the Nilgiris.
23 Malabar	Do. Malabar	Treasury Deputy Collector, Malabar, and the Revenue Divisional Officer, Calicut.
24 South Kanara ..	Do. South Kanara ..	Treasury Deputy Collector, South Kanara, and the Revenue Divisional Officer, Mangalore.

Name of constituency. (1)	Returning officer. (2)	Other officers who may perform the duties of a Returning officer. (3)
2. MUHAMMADAN CONSTITUENCIES.		
1 Madras, North ..	Collector of Cuddapah	Treasury Deputy Collector, Cuddapah, and the Collectors of Vizagapatam, East Godavari, West Godavari, Kistna, Guntur, Nellore, Anantapur, Bellary, Kurnool and Chittoor.
2 Madras North Central	Do. Madras	Assistant Superintendent of Stationery, and the Collectors of Chingleput, North Arcot and South Arcot.
3 Madras South Central	Do. Tanjore	Treasury Deputy Collector, Tanjore, and the Collector of Trichinopoly.
4 Madras South ..	Do. Madura	Treasury Deputy Collector, Madura, and the Collectors of Ramnad, Tinnevelly, Salem, Coimbatore and the Nilgiris.
5 Madras West Coast.	Do. Malabar	Treasury Deputy Collector, Malabar, and the Collector of South Kanara.
3. EUROPEAN CONSTITUENCY.		
European	Collector of Madras	Assistant Superintendent of Stationery.
4. INDIAN CHRISTIAN CONSTITUENCY.		
Indian Christian ..	Collector of Madras	Assistant Superintendent of Stationery.

SCHEDULE II.

(Rule 16.)

MADRAS LEGISLATIVE COUNCIL.

I hereby declare that I have appointed / do hereby appoint to be my election agent for the election.

Station Signature.

Date

SCHEDULE III.

(Rule 78.)

1. Under the head of receipts, there shall be shown the name and description of every person (including the candidate), club, society or association from whom any money, security or equivalent of money was received in respect of expenses incurred on account of, or in connexion with, or incidental to, the election, and the amount received from each person, club, society or association separately.

2. Under the head of expenditure, there shall be shown—

(*a*) the personal expenditure of the candidate incurred or paid by him or his election agent, including travelling and all other personal expenses incurred in connexion with his candidature;

(*b*) the name, and the rate and total amount of the pay, of each person employed as an agent (including the election agent), clerk or messenger;

(c) the travelling expenses and any other expenses incurred by the candidate or his election agent on account of agents (including the election agent), clerks or messengers;

(d) the travelling expenses of persons, whether in receipt of salary or not, incurred in connexion with the candidature, and whether paid or incurred by the candidate, his election agent or the person so travelling;

(e) the cost whether paid or incurred of—

(i) printing,

(ii) advertising,

(iii) stationery,

(iv) postage,

(v) telegrams,

(vi) rooms hired either for public meetings or as committee rooms, and

(vii) conveyances hired;

(f) any other miscellaneous expenses whether paid or incurred.

NOTE.—(1) All expenses incurred in connexion with the candidature whether paid by the candidate, his election agent, or any other person, or remaining unpaid on the date of the return are to be set out.

(2) For all items of Rs. 5 and over, unless from the nature of the case (*e.g.*, travel by rail or postage) a receipt is not obtainable, vouchers are to be attached.

(3) All sums paid but for which no receipt is attached are to be set out in detail with dates of payment.

(4) All sums unpaid are to be set out in a separate list.

SCHEDULE IV.

(Rule 30.)

FORM OF RETURN OF ELECTION EXPENSES.

1. *Receipts.*—Including all moneys, securities and equivalents of money received from any person (including the candidate himself), club, society, or association in respect of any expenses, whether paid or remaining unpaid, incurred on account of or in connexion with or incidental to the election. The name of each such person, etc., and the amount received shall be shown separately:—

Date of receipt.	Name and description of payee.	Amount or value.
	Total Receipts ..	

2. *Expenses.*—Including all payments made by the candidate or by his election agent by any person on behalf of, or in the interests of the candidate in respect of any expenses incurred on account of or in connexion with or incidental to the election, and all unpaid claims in respect of any such expenses of which the candidate or his election agent is aware:—

N.B.—(1) Vouchers shall be attached to the return for all items of expenditure amounting to Rs. 5 and over, unless from the nature of the case a receipt cannot be obtained; the vouchers shall be numbered and arranged in serial order and the number of the voucher entered in the return against the item of expenditure.

(2) Each payment made shall be entered separately, except payments on account of postage and telegrams for which lump sums may be shown. The name and description of each person paid and the work done or the nature of the goods supplied shall be shown in respect of each payment.

PART A.—*In this Part shall be shown the personal expenditure of the candidate, incurred or paid by him or by his election agent on his behalf including all payments for personal services rendered, for hotel bills, for travelling expenses and for the purchase of books or election literature.*

Name and description of payee.	On what account.	Date of payment.	Voucher number.	Amount paid.	Amount unpaid.
			Total ..		

PART B.—*In this Part shall be shown expenditure incurred by the candidate or his election agent for the remuneration of agents (including the election agent), clerks or messengers. The name and description of each agent, clerk or messenger employed and the rate of remuneration and the amount paid to each shall be shown separately.*

Name and description of payee.	On what account.	Rate of payment.	Date of payment.	Voucher number.	Amount paid.	Amount remaining unpaid.
				Total ..		

PART C.—*In this Part shall be shown all other expenditure (including travelling expenses and cost of refreshments provided) incurred by the candidate or his election agent on account of agents (including the election agent), clerks or messengers. The name and description of each agent, clerk or messenger and the amount paid to each shall be shown.*

Name and description of payee.	On what account.	Date of payment.	Voucher number.	Amount paid.	Amount remaining unpaid.
			Total ..		

PART D.—*In this Part shall be shown the travelling expenses of persons (not being agents, clerks or messengers) whether in receipt of salary or not, incurred or paid by the candidate, his election agent or the person so travelling.*

Name and description of payee.	On what account.	Date of payment.	Voucher number.	Amount paid.	Amount remaining unpaid.
			Total ..		

PART E.—*In this Part the cost of printing shall be shown.*

Name and description of payee.	On what account.	Date of payment, if any.	Voucher number.	Amount paid.	Amount unpaid.
			Total ..		

PART F.—*In this Part the cost of advertising shall be shown.*

Name and description of payee.	On what account.	Date of payment, if any.	Voucher number.	Amount paid.	Amount unpaid
			Total ..		

PART G.—*In this Part the cost of stationery shall be shown.*

Name and description of payee.	On what account.	Date of payment, if any.	Voucher number.	Amount paid.	Amount unpaid.
			Total ..		

PART H.—*In this Part the cost of postage and telegrams may be shown in lump sums.*

Expenditure incurred.	Date of payment, if separate payments are shown.	Amount paid.
	Total ..	

PART I.—*In this Part the cost of rooms hired for public meetings or as Committee rooms or as an Office shall be shown.*

Name and description of payee.	Locality and description of rooms.	Date of payment.	Voucher number.	Amount paid.	Amount unpaid.
			Total ..		

PART J.—*In this Part shall be included every disputed claim remaining unpaid.*

Name and description of claimant.	Nature and alleged ground of claim.	Amount of claim.
	Total ..	

PART K.—*In this Part the cost of conveyances hired shall be shown.*

Name and description of payee.	Number and description of conveyances.	Voucher number.	Amount paid.	Amount unpaid.
		Total ..		

PART L.—*In this Part all expenditure incurred and payments made by the candidate or by his election agent or by any person on behalf of or in the interests of the candidate in connexion with the election and not included in any of the foregoing parts shall be shown.*

Name and description of payee.	On what account.	Date of payment, if any.	Voucher number.	Amount paid.	Amount unpaid.
			Total ..		

PART M.—*In this Part the total expenditure incurred under each of the previous parts shall be shown.*

Part.	Paid.	Unpaid.	Total.
A			
B			
C			
D			
E			
F			
G			
H			
I			
J			
K			
L			
Total ..			

Signature of the candidate.

Signature of the election agent.

FORM OF DECLARATION BY ELECTION AGENT.

I

being the appointed election agent for
a candidate for election in the
constituency do hereby solemnly affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the expenses herein set forth, no expenses of any nature whatsoever have to my knowledge or belief been incurred in, or for the purposes of

's candidature.

Election Agent.

Solemnly affirmed before me.

Magistrate.

FORM OF DECLARATION BY CANDIDATE.

I

being a candidate for election in the constituency do hereby solemnly affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the expenses herein set forth, no expenses of any nature whatsoever have to my knowledge or belief been incurred in, or for the purposes of my candidature.

Candidate.

Solemnly affirmed before me.

Magistrate.

SPECIAL FORM OF DECLARATION BY CANDIDATE UNDER RULE 80.

I

being a candidate for election in the constituency do hereby solemnly affirm that the return of election expenses signed by my election agent is (with the exceptions noted below) true to the best of my knowledge and belief, and that (with the exceptions noted below), no expenses of any nature whatsoever other than the expenses therein set forth have to my knowledge or belief been incurred in, or for the purposes of my candidature.

Particulars of exceptions.

Candidate.

Solemnly affirmed before me.

Magistrate.

FORM I.

(See rule 13.)

Form of Notice.

Whereas the constituency of the Madras Legislative Council has been called upon by notification to elect a member on or before , I, , the Returning Officer of the said constituency, do hereby give the following:—

Public Notice.

(i) The number of persons to be elected is

(ii) Nomination papers may be delivered to the undersigned at . or if he is unavoidably prevented from receiving the same to at . They should be presented between 11 a.m. and 3 p.m. on or before .

(iii) Forms of nomination paper may be obtained at the offices of the persons abovementioned between the hours of and from to .

(iv) The nomination papers will be taken up for scrutiny at on in .

(v) In the event of the election being contested, the poll will take place on between the hours of and with an interval of rest between and .

(vi) * No elector will be admitted to vote outside the polling area under which his name appears on the electoral roll except when he is employed outside such area on duty in connexion with elections in which case he may apply to the Returning Officer for a certificate.

---

* *Note.*—This will be omitted in the case of constituencies for which postal voting is prescribed.

The polling stations at which electors in each polling area may vote are those entered in the electoral roll subject however to the following alterations:—

Number of polling area according to the electoral roll.	Name of polling station finally selected in lieu of the station provisionally entered in the electoral roll.

Station

Date

Returning Officer of Constituency.

FORM II.

(See rule 14.)

Nomination Paper.

Name of the constituency for which the candidate is nominated.

Name of candidate

Father's name

Age

Address

Constituency on the electoral roll of which the candidate is registered as an elector.

* Number of the candidate in the electoral roll of the constituency in which he is registered as an elector.

Name of proposer

* Number of the proposer in the electoral roll of the constituency.

Signature of the proposer

Name of the seconder

* Number of the seconder in the electoral roll of the constituency.

Signature of the seconder

Declaration by Candidate.

I hereby declare that I agree to this nomination. . . . . .

Date

Signature of Candidate.

Certificate of Delivery.

Serial number. . . . . .

This nomination paper was delivered to me at my office at (date and hour . . . .).

Returning Officer or other authorized person.

Certificate of Scrutiny.

I have scrutinized the eligibility of the candidate, the proposer and seconder, and find that they are respectively qualified to stand for election, to propose and to second the nomination.

Returning Officer or other authorized person.

---

* Where the electoral roll is subdivided and separate serial numbers are assigned to the electors entered in each subdivision, a description of the subdivision in which the name of the person concerned is entered must also be given here.

Form III.

(See rule 27.)

Constituency. Legislative Council.

Final List of Candidates for Election.

Serial number.	Name of candidates.	Address of candidates.
1.		
2.		
3.		
4.		
etc., etc., etc.		

* *Note.*—The poll will be taken on the day of 19 between and at the polling stations already notified.

Returning Officer.

* In the case of a Postal Vote constituency, the note shall run as follows:—

Ballot papers should reach the Returning Officer by registered post before on or be deposited at the office of the Returning officer between and on

Form IV.

(See rule 41.)

Form IV-A.

Serial No. C. G-1—9431

Serial No. C. G-2—747

Form IV.

Serial No. C. G-1—9431

Serial No. C. G-2—747

Form V.

(See rule 46.)

Tendered Votes List.

Polling station.

Name of constituency.	Name of elector.	Number in electoral roll.	Signature of elector, if literate or thumb impression of elector, if illiterate, and address.

FORM VI.

(See rule 47.)

List of Challenged Votes.

Name of Polling station.

Signature Sheet No.

Number on Electoral roll.	Name.	Signature of elector, if literate or thumb impression of elector, if illiterate.	Name of identifier, if any.

Order of Presiding Officer (in each case).

Signature of Presiding Officer.

FORM VII.

(See rule 47.)

Declaration of personation.

I (name) , hereby declare and undertake to prove that the person described below has, by applying for a ballot paper at this booth, committed the offence of personation.

Description of the person.

Name.	Address.	Signature or thumb impression.

Signature of candidate or agent.

Witnesses—

1. (Name and address.)
2. (Name and address.)

(Before me)

Station

Date .

Signature of Presiding Officer.

FORM VIII.

(See rule 49.)

Form of authorization to vote outside polling area.

Certified that entitled to vote at for constituency has been employed in connexion with the election for constituency and is prevented from voting at the said station and that I have therefore authorized him to vote at .

Station

Date .

Signature of Returning Officer.

Form IX.

(See rule 52.)

Statement sent by Presiding Officer at in the district of after the polling on 19 for the Constituency.

Description. (1)	Number received. (2)	Number of ballot papers in boxes. (3)	Number of ballot papers in packets —Rule 50 (2). (4)	Number of tendered ballot papers—Rule 46. (5)	Number unused. (6)	Number spoilt. (7)	Ballot papers dealt with under rule 50 (1) [included under column (3).] (8)	Remarks. (9)
Ballot papers.								

Station. Signature of Presiding Officer.

Date

Form X.

(See rule 56.)

Ballot Paper.

Constituency

Names of the candidates.	Mark showing the elector's choice.

(Please see instructions on the back.)

(Back of ballot paper)

(1) The number of votes which you may give is .

* (2) You are at liberty to give all your votes to any one candidate or to distribute them as you like.

(3) Place a cross mark thus × against* the name of the candidate / the name or names of the candidate or candidates for whom you wish to vote.

Serial No.

* To be printed on ballot papers for plural member constituencies.

FORM X-A.

(See rule 56.)

Declaration Paper.

Constituency

Serial No.

Elector's name and number on the roll.

Elector's Declaration.

I (name in full and designation) declare that I am an elector for this constituency and have signed no other ballot paper at this election for this constituency.

* I also declare that I have not voted at this election in any other Muhammadan constituency of the Madras Legislative Council.

Station | Signature
Date | Address

FORM XI.

(See rule 58.)

Legislative Council Election.

Constituency

Poll on

To

The Returning Officer,

Constituency,

(station and address).

No.

FORM XII.

(See rule 58.)

Form of Letter of Intimation.

Constituency.

Sir,

The persons whose names are printed on the ballot paper sent herewith have been nominated as candidates for the Legislative Council. Should you desire to vote at this election, I have to request that you will—

(a) sign the declaration paper;

(b) mark your vote in the column provided for the purpose in the ballot paper;

(c) enclose the ballot paper in the smaller envelope and stick it up; and

(d) put the smaller envelope and the declaration paper in the cover addressed to me and return it to me by registered post so as to reach me not later than a.m./p.m. on the day of 19 or deposit the cover addressed to me in the ballot box provided for the purpose in between and on .

---

* To be printed in the case of Muhammadan constituencies only.

2. Rule 67 of the rules for the conduct of elections provides that a ballot paper shall be rejected if—

(a) the number of votes recorded thereon exceeds the number of vacancies to be filled;

(b) no vote is recorded thereon;

(c) it is void for uncertainty;

(d) it bears any mark by which the elector can be identified; and

(e) (i) the cover, enclosing the elector's declaration paper and the envelope containing his ballot paper, has neither been sent by registered post so as to reach the Returning Officer not later than the day and the latest hour fixed for the poll nor deposited in the ballot box provided in the office of the Returning Officer on the day and during the hours fixed for the poll;

(ii) the cover contains no declaration paper outside the envelope;

(iii) more than one declaration paper or envelope containing ballot paper have been enclosed in one and the same cover;

(iv) the declaration paper is not the one sent out by the Returning Officer to the elector or the declaration or attestation is not in order.

Provided that in a case where more than one vote can be given on the same ballot paper, if one of the marks is so placed as to render it doubtful to which candidate it was intended to apply, the vote concerned but not the whole ballot paper shall be invalid on that account.

Station

Date .

Returning Officer.

FORM XIII.

(See rule 72.)

Total number of electors on roll. (1)	Number of ballot papers issued originally. (2)	Number issued in place of ballot papers reported as not received, spoilt or lost. (3)	Number of ballot papers received. (4)	Number of ballot papers rejected. (5)	Number of ballot papers counted. (6)	Number of declaration papers filed separately. (7)	Remarks. (8)

Returning Officer.

FORM XIV.

(See rule 73.)

Return showing results of the election for seats for constituency.

Name of candidate for whom votes have been given. (1)	Number of valid votes. (2)
A	
B	
C	
D	
E	
F	
Number of valid ballot papers	
Number of ballot papers declared invalid in whole or in part.	
Number of tendered ballot papers ..	

I do hereby declare that the following candidates— .

A

B

C

have been duly elected.

Returning Officer.

THE GOVERNMENT OF INDIA (PROVINCIAL ELECTIONS) (CORRUPT PRACTICES AND ELECTION PETITIONS) ORDER, 1936.

AT THE COURT AT BUCKINGHAM PALACE,

The 3rd day of July 1936.

Present,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by section two hundred and ninety-one of the Government of India Act, 1935 (hereafter in this Order referred to as " the Act ") His Majesty in Council is empowered to make provision with respect to certain matters connected with elections under the Act:

AND WHEREAS by sub-section (1) of section sixty-nine of the Act His Majesty in Council is empowered to declare certain offences and practices to be offences and practices involving disqualification for membership of Provincial Legislatures and to fix the periods for which the disqualifications are to operate:

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of sub-section (1) of section three hundred and nine of the Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order:

NOW, THEREFORE, His Majesty, in the exercise of the powers conferred on him as aforesaid and of all other powers enabling him in that behalf, is pleased by and with the advice of his Privy Council to order, and it is hereby ordered, as follows:—

PART I.

INTRODUCTORY.

1. This Order may be cited as " The Government of India (Provincial Elections) (Corrupt Practices and Election Petitions) Order, 1936."

2. The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3.—(1) In this Order, except where it is otherwise expressly provided or the context otherwise requires—

" election " means an election to fill a seat or seats in either Chamber of a Provincial Legislature;

"prescribed" means prescribed by Act of the Provincial Legislature or by Rules;

"Rules" means rules made under paragraph twenty of the Fifth Schedule to the Act;

"sign" in relation to a person who is unable to write his name means authenticate in such manner as may be prescribed;

"oath" includes affirmation.

(2) The provisions of Parts II and III of this Order shall, in relation to constituencies in which seats are reserved for candidates of any particular class, or in which the final voting is by members of an electoral college previously constituted for that purpose, have effect with such exceptions and subject to such adaptations and modifications as may be prescribed, but subject as aforesaid, any primary election for the purpose of electing candidates for reserved seats, or of constituting any such electoral college, shall be deemed to be part of the election of persons to fill the seats to be filled in the constituency.

(3) Where under any of the provisions of this Order anything is to be prescribed, different provision may be made for different cases or classes of cases.

(4) Any reference in this Order to any of the provisions of any Indian Act shall be construed as a reference to those provisions as amended by or under any other Act or, if those provisions are repealed and re-enacted with or without modification, to the provisions so re-enacted.

(5) Anything which under the provisions of the Act or of this Order is required or authorised to be done by, to or before the Governor of a Province in connection with any matters to which this Order relates (whether or not the Governor is to act in his discretion or to exercise his individual judgment) shall before the commencement of Part III of the Act be done by, to or before the Governor in Council or, in the case of Sind or Orissa, the Governor.

PART II.

Election Agents and Expenses.

1. Every person nominated as a candidate at an election shall at the prescribed time and in the prescribed manner appoint either himself or some one other person to be his election agent.

2. No person shall be appointed an election agent who is disqualified from being an election agent under the subsequent provisions of this Order.

3.—(1) Any revocation of the appointment of an election agent, whether he be the candidate himself or not, shall be signed by the candidate, and shall operate from the date on which it is lodged with the returning officer.

(2) In the event of such a revocation or of the death of an election agent, whether that event occurs before or during the election, or after the election but before a return of the candidate's election expenses has been lodged in accordance with the provisions of the next but one succeeding paragraph, the candidate shall appoint forthwith either himself or some other person to be his election agent, and shall give notice in writing of the appointment to the returning officer.

4. Every election agent shall, for each election for which he is appointed election agent, keep separate and regular books of account, and shall enter therein such particulars of expenditure in connection with the election as may be prescribed.

5.—(1) Within the prescribed time after every election there shall be lodged with the returning officer in respect of each person who has been nominated as a candidate a return of the election expenses of that person signed both by him and his election agent.

(2) Every such return shall be in such form and shall contain such particulars as may be prescribed, and shall be accompanied by declarations in the prescribed form by the candidate and his election agent made on oath before a magistrate.

(3) Notwithstanding anything in this paragraph, where a candidate is owing to absence from India unable to sign the return of election expenses and to make the required declaration, the return shall be signed and lodged by the election agent only and shall be accompanied by a declaration by the election agent only, and the candidate shall within fourteen days after his return to India cause to be lodged with the returning officer a declaration made on oath before a magistrate in such form as may be prescribed.

6. In each Province provision shall be made, by an Act of the Provincial Legislature or by Rules, fixing the maximum scales of election expenses at elections and the numbers and descriptions of persons who may be employed for payment in connection with elections:

Provided that no provision need be so made in any Province with respect to any election held before the expiration of two years from the commencement of Part III of the Act.

7. Except so far as may be prescribed, this Part of this Order does not apply to an election by the members of a Provincial Legislative Assembly to fill seats in the Provincial Legislative Council.

PART III.

Decision of Doubts and Disputes as to the Validity of an Election and Disqualifications for Corrupt Practices.

1. In this Part of this Order and in the First Schedule to this Order, except where it is otherwise expressly provided or the context otherwise requires—

"agent" includes an election agent and any person who, on the trial of an election petition, is held by the Commissioners to have acted as an agent in connection with the election with the knowledge or consent of the candidate;

"candidate" means a person who has been or claims to have been duly nominated as a candidate at any election, and a candidate who, with the election in prospect, has held himself out as a prospective candidate, shall be deemed to have been a candidate as from the time when he began so to hold himself out;

"electoral right" means the right of a person to stand or not to stand as, or to withdraw from being, a candidate, or to vote or refrain from voting at an election;

"returned candidate" means a candidate whose name has been published in the prescribed manner as duly elected;

"corrupt practice", in relation to an election by the members of a Provincial Legislative Assembly to fill seats in the Provincial Legislative Council, means one of the practices specified in Parts I and II of the First Schedule to this Order, and in relation to any other election, means one of the practices specified in Parts I, II and III of that Schedule.

2. No election shall be called in question except by an election petition presented in accordance with the provisions of this Part of this Order.

3.—(1) An election petition against any returned candidate may be presented to the Governor—

(*a*) by any candidate or elector on any ground;

(*b*) by an officer empowered in that behalf by the Governor, exercising his individual judgment, on the ground that the election has not been a free election by reason of the large number of cases in which undue influence or bribery has been exercised or committed.

In this paragraph, "elector," in relation to a commerce and industry, mining or planting constituency, includes all the persons included in the electoral roll as the nominees of any body, notwithstanding that only one of them is entitled to vote.

(2) A petitioner may, if he so desires, in addition to calling in question the election of the returned candidate, claim a declaration that he himself has been duly elected, but such a declaration shall only be claimed on one or other of the following grounds—

(*a*) that in fact the petitioner received a majority of the valid votes; or

(*b*) that but for votes obtained for the returned candidate by corrupt practices, the petitioner would have obtained majority of the valid votes.

4.—(1) Unless the Governor, exercising his individual judgment, dismisses a petition for non-compliance with the prescribed requirements, he shall, exercising his individual judgment, appoint as Commissioners for the trial of the petition three persons who are or have been, or are eligible to be appointed, judges of a High Court, and shall appoint one of them to be the President:

Provided that nothing in this sub-paragraph shall be deemed to prevent the appointment of the President of a Commission before the other Commissioners are appointed.

(2) Subject to the provisions of this paragraph, all applications and proceedings in connection with the petition shall be dealt with by, and carried on by or before, the Commissioners.

(3) Where in respect of an election in a constituency more petitions than one are presented, the Governor shall refer all those petitions to the same Commissioners, who may at their discretion inquire into the petitions either separately or in one or more groups, as they think fit.

(4) If the services of any Commissioner are not available for the purposes of the inquiry or if during the course of the inquiry any Commissioner is unable to continue to attend thereat, the Governor, exercising his individual judgment, shall appoint another Commissioner and the inquiry shall recommence before the Commission as so reconstituted:

Provided that the Commissioners may direct that any evidence already recorded shall remain upon record, and in that case it shall not be necessary to re-examine those witnesses who have already been examined and discharged.

(5) References to the Commissioners in this Part of this Order shall, as respects any matter to be done before the commencement of the inquiry, be deemed to be references to the President.

5. When at an inquiry into an election petition the Commissioners so order, the Advocate-General of the Province, or some person acting under his instructions, shall attend and shall take such part therein as the Commissioners may direct.

6. Subject to the provisions of this Part of this Order, Acts of the Provincial Legislature and Rules may regulate the form of election petitions, the time and manner in which they are to be

presented, the persons who are to be made parties thereto, the procedure to be adopted in connection therewith and the circumstances in which petitions are to abate, or may be withdrawn, and in which new petitioners may be substituted, may require security to be given for costs and may authorise the Governor, exercising his individual judgment, to dismiss petitions for non-compliance with the prescribed requirements.

7.—(1) Subject to the provisions of this paragraph, if in the opinion of the Commissioners—

(*a*) the election of a returned candidate has been procured or induced, or the result of the election has been materially affected, by any corrupt practice; or

(*b*) any corrupt practice specified in Part I of the First Schedule to this Order has been committed in the interests of a returned candidate; or

(*c*) the result of the election has been materially affected by the improper acceptance or rejection of any nomination, or by reason of the fact that any person nominated was not qualified or was disqualified for election, or by the improper reception or refusal of a vote, or by the reception of any vote which is void, or by any non-compliance with the provisions of the Act or of this Order, or of any Act of the Provincial Legislature or Rules relating to the election, or by any mistake in the use of any prescribed form; or

(*d*) the election has not been a free election by reason of the large number of cases in which bribery or undue influence has been exercised or committed,

the election of the returned candidate shall be void.

(2) If the Commissioners report that a returned candidate has been guilty by an agent, other than his election agent, of any corrupt practice specified in Part I of the First Schedule to this Order, but further report that the candidate has satisfied them that—

(*a*) no corrupt practice was committed at the election by the candidate or his election agent, and the corrupt practices mentioned in the report were committed contrary to the orders, and without the sanction or connivance, of the candidate or his election agent;

(*b*) the candidate and his election agent took all reasonable means for preventing the commission of corrupt practices at the election;

(*c*) the corrupt practices mentioned in the report were of a trivial and limited character or took the form of customary hospitality which did not affect the result of the election; and

(*d*) in all other respects the election was free from any corrupt practice on the part of the candidate or any of his agents,

then the Commissioners may find that the election of the candidate is not void.

(3) If a person (not being entitled so to do) votes more than once at the same election, all his votes shall be deemed for the purposes of this paragraph to be void.

8.—(1) At the conclusion of the inquiry the Commissioners shall report whether the returned candidate, or any person who has lodged a petition and claimed a seat, has been duly elected and in so reporting shall have regard to the provisions of the last preceding paragraph.

(2) The report shall further include a recommendation by the Commissioners as to the total amount of costs which are payable and the persons by and to whom the cost should be paid, and any such recommendation may include a recommendation for the payment of costs to the Advocate-General of the Province or a person acting under his instructions attending the trial in pursuance of an order of the Commissioners.

(3) The report shall be signed by all the Commissioners and the Commissioners shall forthwith forward their report to the Governor, who on receipt thereof shall issue orders in accordance with the report and publish the report in the Government Gazette of the Province, and the orders of the Governor shall be final.

9. If either in their report or upon any other matter there is a difference of opinion among the Commissioners, the opinion of the majority shall prevail and their report shall be expressed in terms of the views of the majority.

10. Where any charge is made in an election petition of any corrupt practice, the Commissioners shall record in their report—

(*a*) a finding whether a corrupt practice has or has not been proved to have been committed by any candidate or his agent, or with the connivance of any candidate or his agent, and the nature of that corrupt practice; and

(*b*) the names of all persons, if any, who have been proved at the inquiry to have been guilty of any corrupt practice and the nature of that practice with any such recommendations as the Commissioners may think proper to make for the exemption of any persons from any disqualifications which they may have incurred in this connection under paragraphs two to five of Part IV of this Order:

Provided that no person shall be so named in the report unless he has been given a reasonable opportunity of showing cause why his name should not be so recorded.

PART IV.

Disqualifications.

1. The offences and practices specified, in relation to certain elections, in the Second Schedule to this Order shall, for the periods respectively specified in relation to those offences and practices in that Schedule, entail disqualification for membership of any Provincial Legislature.

2. If any person—

(*a*) is, in connection with an election to a Provincial Legislature, the Coorg Legislative Council or a local body in British India, convicted of an offence under Chapter IX-A of the Indian Penal Code punishable with imprisonment for a term exceeding six months; or

(*b*) is after an inquiry under Part III of this Order reported as guilty of any such corrupt practice as is specified in Part I or Part II of the First Schedule to this Order,

he shall, for a period of six years from the date of the conviction or report, be disqualified for voting at any election.

3. If, in relation to any election (other than an election by the members of a Provincial Legislative Assembly to fill seats in the Provincial Legislative Council), any person is after such an inquiry as aforesaid reported as guilty of any such corrupt practice as is specified in Part III of the said Schedule he shall be disqualified for voting at any election for a period of four years from the date of the report.

4. Where under either of the two last preceding paragraphs a person is, in connection with an election in a commerce and industry, mining or planting constituency, disqualified for voting for any period, then, if that person was at the date of the election either—

(*a*) included in the electoral roll for the constituency as the nominee of a firm, Hindu joint family or corporation entitled to nominate persons for inclusion therein; or

(*b*) a member of any such firm or Hindu joint family, or a director, managing agent or manager of any such corporation, or a person authorized to sign the name of any such firm, Hindu joint family or corporation in the ordinary course of its business,

the firm, family or corporation shall, for the like period, be disqualified from nominating persons for inclusion in the electoral roll of any commerce and industry, mining or planting constituency.

5. If default is made in making the return of the election expenses of any person who has been nominated as a candidate at an election to which Part II of this Order applies, or if such a return is found, either by Commissioners holding an inquiry into

the election or by any court in a judicial proceeding, to be false in any material particular, the candidate and his election agent shall be disqualified for voting at any election for a period of five years from the date by which a return was required to be lodged.

6. Every person shall be disqualified for voting at any election who is for the time being disqualified for voting at elections to the Federal Legislature by reason of misconduct in connection with an election to that Legislature, or by reason of a default in making, or of the falsity of, any return of election expenses at any election to that Legislature.

References in this paragraph to the Federal Legislature shall until the establishment of the Federation be construed as references to the Indian Legislature.

7. Any person who is for the time being disqualified under the foregoing provisions of this Part of this Order for being a member of a Provincial Legislature, or for voting at elections, shall, so long as the disqualification exists, also be disqualified for being an election agent at any election.

8. Any disqualification under paragraphs two to five of this Part of this Order arising in connexion with an election to the Legislature of, or to a local body in, a Province may be removed by the Governor of that Province in his discretion, and any other disqualification under the said paragraph two may be removed, before the establishment of the Federation, by the Governor-General in Council, and, after the establishment of the Federation, by the Governor-General in his discretion.

9. In paragraph one of this Part of this Order, " elections " includes all the elections referred to in the Second Schedule to this Order, but save as aforesaid, the references in this Part of this Order to elections, other than express references to elections of any other kind, shall be construed as references to elections as defined in paragraph three of Part I of this Order.

FIRST SCHEDULE.

CORRUPT PRACTICES.

PART I.

1. Bribery, that is to say, any gift, offer or promise by a candidate or his agent or by any other person with the connivance of a candidate or his agent, of any gratification to any person whomsoever, with the object, directly or indirectly, of inducing—

(a) a person to stand or not to stand as, or to withdraw from being, a candidate at an election; or

(b) an elector to vote or refrain from voting at an election,

or as a reward to—

(i) a person for having so stood or not stood, or for having withdrawn his candidature; or

(ii) an elector for having voted or refrained from voting.

For the purposes of this paragraph the term "gratification" is not restricted to pecuniary gratifications or gratifications estimable in money, and it includes all forms of entertainment and all forms of employment for reward; but it does not include the payment of any expenses *bona fide* incurred at, or for the purpose of, any election and duly entered in the return of election expenses prescribed by this Order.

2. Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of a candidate or his agent, or of any other person with the connivance of the candidate or his agent, with the free exercise of any electoral right:

Provided that—

(a) without prejudice to the generality of the provisions of this paragraph, any such person as if referred to therein who—

(i) threatens any candidate or elector, or any person in whom a candidate or elector is interested, with any injury of any kind; or

(ii) induces or attempts to induce a candidate or elector to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure,

shall be deemed to interfere with the free exercise of the electoral right of that candidate or elector within the meaning of this paragraph; and

(b) a declaration of public policy, or a promise of public action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this paragraph.

3. The procuring or abetting or attempting to procure by a candidate or his agent, or by any other person with the connivance of a candidate or his agent, the application by a person for a voting paper in the name of any other person, whether living or dead, or in a fictitious name, or by a person for a voting paper in his own name when, by reason of the fact that he has already voted in the same or some other constituency, he is not entitled to vote.

4. The removal of a voting paper from the polling station during polling hours by any person with the connivance of a candidate or his agent.

5. The publication by a candidate or his agent, or by any other person with the connivance of the candidate or his agent, of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.

6. The incurring or authorising by a candidate or his agent of expenditure, or the employment of any person by a candidate or his agent, in contravention of this Order or of any Act of the Provincial Legislature or Rules.

PART II.

1. Any act specified in Part I of this Schedule, when done by a person who is not a candidate or his agent or a person acting with the connivance of a candidate or his agent.

2. The application by a person at an election for a voting paper in the name of any other person, whether living or dead, or in a fictitious name, or for a voting paper in his own name when, by reason of the fact that he has already voted in the same or some other constituency, he is not entitled to vote.

3. The receipt of, or agreement to receive, any gratification whether as a motive or a reward—

(*a*) by a person for standing or not standing as, or for withdrawing from being, a candidate; or

(*b*) by any person whomsoever for himself or any other person for voting or refraining from voting, or for inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw his candidature.

For the purposes of this paragraph the term "gratification" has the same meaning as it has for the purposes of paragraph one of Part I of this Schedule.

4. The making of any return of election expenses which is false in any material particular, or the making of a declaration verifying any such return.

PART III.

1. The incurring or authorization by any person other than a candidate or his agent of expenses on account of holding any public meeting, or upon any advertisement, circular or publication, or in any other way whatsoever, for the purpose of promoting or procuring the election of the candidate, unless he is authorized in writing so to do by the candidate.

2. The hiring, using or letting, as a committee room or for the purpose of any meeting to which electors are admitted, of any building, room or other place where intoxicating liquor is sold to the public.

3. The issuing of any circular, placard or poster having a reference to the election which does not bear on its face the name and address of the printer and publisher thereof.

SECOND SCHEDULE.

DISQUALIFICATIONS FOR MEMBERSHIP OF PROVINCIAL LEGISLATURES.

Elections.	Offence or Corrupt Practice.	Period of Disqualification.
Elections to which Chapter IXA of the Indian Penal Code applies.	Offences under Chapter IXA of the Indian Penal Code punishable with imprisonment for a term exceeding six months.	Six years from the date of conviction.
Elections as defined in paragraph three of Part I of this Order.	Corrupt practices specified in Parts I and II of the First Schedule to this Order.	Six years from the date of the report of the tribunal holding the inquiry.
Elections as defined in paragraph three of Part I of this Order, other than elections by the members of a Provincial Legislative Assembly to fill seats in the Provincial Legislative Council.	Corrupt practices specified in Part III of the First Schedule to this Order.	Four years from the date of the report of the tribunal holding the inquiry.
Elections to Federal Legislature.	Corrupt practices as defined in any Order under the Act relating to such elections.	The period for which the corrupt practice entails disqualification for membership of Federal Legislature.
Elections under the Government of India Act.	Any corrupt practice within the meaning of the Electoral Rules under the Government of India Act relating to the election in question.	Such period, commencing on the date of the report of the Commissioners under the Electoral Rules relating to the election in question, as is the maximum period of disqualification specified in those Rules for inclusion in electoral rolls thereunder.

MADRAS : PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.